# Washington Weekly Chronicle.

VOL. II.—NO. 3.] WASHINGTON, SATURDAY, MAY 27, 1865. [THREE DOLLARS PER ANNUM.


## THE GREAT CONSPIRACY.

## TRIAL OF THE ASSASSINS.

### DAVIS AND SANDERS IMPLICATED IN THE PLOT.

### DR. MUDD'S PROPHECY OF ASSASSINATIONS.

**Testimony of Colonel Conger, Major Rathbone, Lieut. Toffey, Rev. Dr. Rider, of Chicago, Sergeants Corbett and Gemmill, Messrs. Williams, Gavican, Jett, Fletcher, and others.**

WEDNESDAY, MAY 17.

The court met at ten o'clock this morning in pursuance to adjournment.

The testimony received after the reading of the record last night concerned Dr. Mudd, who seemed unusually alive to its vital importance. His frequent whispered words with his counsel, Mr. Ewing, of Ohio, and them was in his demeanor an eager attention, a watchfulness of the conflict testimony, which differed much from his usual seeming indifference to the proceedings of the court.

Nor was Dr. Mudd alone in this striking reawakening of interest as to public. Herold, who during the testimony of the young man Jett, and that of Corbett, seemed to have shaken off his indifferent demeanor, and displayed an earnestness of attention for which his character, as inherent stupidity, little prepared us.

As soon as the reading of the minutes of the proceeding—a task here concluded, Brigadier General T. M. Harris, U. S. V., arose and said:

I desire to present the following communication of Hon. Reverdy Johnson; on which my objection to him as counsel before the court was withdrawn, and which I think the honorable gentlemen ought to be very thankful to me for having him as counsel for him in direction, before the country, my majority of intention in writing his letter, or, in view of his age and public relations to the country and to his State, I feel that it is due to myself and to the court that I should ask to have the letter made a part of the record of the court:

**THE LETTER.**

BALTIMORE, October 2, 1864.

DEAR SIR:—Here I am sure of the fact that, respecting my opinion upon the constitutionality, legal and binding effect and bearing of the executive proclamation of emancipation, I am not to be asked by the citizen of the State, for the satisfaction of the right to rely upon the opinion which I may express to you. I am sure that you will not suppose that I am not willing to give you, and proceed to state, in as few words, as I can, the reasons upon which it is founded, with my readers.

In the existing constitution no such oath as the one in question is required, as a condition to the suffrage, nor for voting on any new constitution which may be framed. But the convention which framed it, by the ordinance now before the people, and the Legislature, and under which alone the recent election was held, have made it a condition of the voter's qualification to vote, that he should take and subscribe the oath required other than what the constitution required for the qualification of the voter. But this requirement, no longer can be regarded as valid, since the decision of the Supreme Court of the United States, in the case of Cummings vs. The State of Missouri, and Garland vs. The State of Arkansas, reported in 4th Wallace's Reports, pages 277 and 333,

themselves as prisoners; he wanted to know where they would be taken to if they gave themselves up; no reply was given; the parley lasted much longer than the time first stated, probably, I should think, fully half an hour, more or less; in the course of that time many words passed, and Booth positively declared he would not surrender; at one time he said, "Well, my brave boys, you may get a stretcher for me;" at another time, he said, "Well, captain, make quick work, shoot me through the heart," or words to that effect, so that I knew he was perfectly desperate, and would not surrender; after a while, I heard whispering in there; Booth had previously declared there was no other person in there; the other person, who proved to be Herold, seemed to be trying to persuade Booth to surrender; we could not hear the words; after a while, Booth sung out, "Cap, there is a man in here who wants to surrender;" words followed I could not hear what they were; Booth said "Oh, go out and save your life." He then called out, "I declare before my Maker, this man is innocent of any crime whatever," or words to that effect. Further words followed in which Herold seemed to tell Booth that he would not surrender. He was told to take his arms and come out. Herold declared he had no arms. Booth also declared that this other man was unarmed: that the arms belonged to him. Immediately after this Herold having been taken out without arms, detective Lieut. Col. Conger came over to the side where I was and directed the barn to be fired. I had been previously standing before a crack in the boards large enough to put in your hand. I know that Booth could see us, and could have picked us off, and he in fact once made the remark, "I could have picked three or four of your men off, just draw your men off fifty yards, and I will come out;" he used such words many times; when the fire was lighted, which was almost immediately after Herold had been taken out of the barn, I could then see him distinctly in about the middle of the barn; he started at first toward me, and I had a full front dress view of him; I could have shot him much easier than at the time I did, but so long as he made no demonstration I did not shoot him; I kept my eye on him steadily; he turned toward the other side; he brought his piece up to an aim, and I supposed was going to fight his way out; I thought the time had come, and I took a steady aim upon him, and shot him; the ball entered his head a little back of the ear, and came out a little higher on the other side of the head; he lived I think until about 7 o'clock that morning, perhaps two or three hours after he was shot; I did not hear him speak after he was shot, except to cry out when he was shot, others stated that he did utter words after that, but I did not hear any after I shot him.

Q. State whether you recognize the prisoner Herold as the man you took out of the barn? A. Yes; that is the man.

Q. Did you know Booth before? A. No, but I was perfectly satisfied from the first when Booth said his leg was broken, and also from his desperate replies, that he would not be taken alive, that he was the man. I knew no other man would act in such a way.

## CROSS-EXAMINED BY MR. STONE.

Q. You say that you judged from the conversation between Booth and Herold in the barn, that Herold was anxious to surrender? A. I rather thought so.

Q. But that after Booth refused to surrender, Herold seemed to speak as if he desired to stay with him. A. Yes.

Q. And it was after that that Booth made this declaration? A. Yes; he declared before his Maker that the man with him was innocent of any crime. [I also wish to state, with the permission of the court, as improper motives have been attributed to me, that I offered twice to Lieutenant Colonel Conger and Lieutenant Baker to go into the barn and take these men; telling them that I had rather go in than to stand there before the crack, exposed to his fire. I thought it was less dangerous; for while I could not see them they could see us. I did not fire the ball from fear, but because I was under the impression at the time that he had started to the door to fight his way through, and that I thought he would do harm to our men, if I did not.]

## TESTIMONY OF JOHN FLETCHER—EXAMINED BY JUDGE HOLT.

Q. State your business? A. I am the foreman of T. Naylor's livery stable.

Q. Do you know the prisoner, Atzerodt? A. Yes.

Q. State whether or not you saw him about the 3d of April last? A. Yes, he came to the stable at that time between 6 and 7 o'clock with another gentleman and two horses; they said they wanted to put up their horses there; I ordered their horses down into the stable; the other gentleman who was with Atzerodt told me he was going to Philadelphia, and that he would leave these horses in Atzerodt's care to sell; I have never seen that man since; we kept the horses at the stable, and sold one of them to Mr. Thompson, a stage contractor; we kept the brown horse at the stable until the 12th of the month, when Atzerodt took him away; I did not see him [...] until 1 o'clock on the 14th of [...]; asked him what he did with the [...], he said he sold it in Montgomery county, and that he had bought this mare, saddle, and bridle; he wished me to put up the mare, which I did.

Q. State the character of this horse he said he had sold, was one eye blind? A. Yes; he was a very heavy, common, work-horse, blind in one eye; a dark brown horse, heavy mane and tail; very heavy feet; I went to supper at half-past six o'clock, on the 14th, and when I came back the colored boy had the mare saddled and bridled; he paid the colored boy 50 cents for the keeping, and said, "Was that right?" I said, "Yes;" he asked how much I would charge if he stayed till morning; I said, 50 cents more; he went out and stayed three-quarters of an hour, and returned with the mare; he told me not to take the saddle and bridle off the mare, and asked if I could keep the stable open for him until 10 o'clock; I told him, "Yes; I would be there myself;" at 10 o'clock he came after the mare; he asked me if I would have a drink with him; I told him I had no objections; we went down to the Union Hotel, corner of Thirteen-and-a-half street and E, and took a drink; we returned to the stable, and he said to me, "If this thing happens to-night, you will hear of a present." It seemed to me he was about half tight, and I paid no attention to him; he mounted the mare; I remarked that I would not like to ride that mare, that she looked too skittish-like; he said, "She is good upon a retreat;" I spoke to him of the other man, meaning Herold, staying out very late with the other horse; "Oh," he says, "he will be back after awhile;" I watched him until he went down E street, past Thirteen-and-a-half; and I followed him down until I saw him go into the Kirkwood House. I watched him until he came out, mounted the mare again, went along D street, and turned up Tenth street, when I returned to the stable again; I did not go to the office; I was thinking about his living so far off, and of the horse Herold had. I had suspicions that he was not going to bring the horse back; I went across E street again, went up Fourteenth street, and came on Pennsylvania avenue again toward Willard's; I saw Herold riding the horse I hired him; the horse was going toward the stable; I started toward him to take the horse from him; I suspect that he saw me by the gas-light, and knew me, for he began to move the horse away a little; I said "You get off that horse, now, you have had that horse long enough;" he put spurs into the horse, and went up Fourteenth street; I kept sight of him until he had gone up Fourteenth street as far as F; I then returned to the stable; saddled a horse for myself; I went along the avenue, passed down E street, and turned down Ninth to Pennsylvania avenue again; I went along the avenue, and passed the south side of the Capitol; I met a gentleman, and asked him did he see any man riding on horseback: he told me yes, he saw two; that they were going very fast; I followed on till I came to the Navy-yard bridge; the guard there halted me and called the sergeant of the guard; I asked him if this man had passed, giving a description of the man, horse, saddle, and bridle; he said yes, he had gone across the bridge; that he waited a little for an acquaintance, but after awhile went on, that another came up riding a bay horse; I asked him if the first one gave his name; he said, "yes, Smith;" I asked the sergeant if I could cross the bridge; he said yes, but I could not come back; I said I would not go over so, and I turned round and came back to the city again; I looked at my watch when I had got back to Third street, and it was ten minutes past 12; I rode rapidly down to the bridge, but slowly back; when I got to the stable the foreman told me the President was shot; I put up the horse and sat down outside the office; it was then 1 o'clock; I heard people passing on the sidewalk say that it was a man who rode off on horseback that shot President Lincoln; I went across E street to Fourteenth street and asked a sergeant did they pick up any horse; he told me they had picked up some horse, and that I could go down to the police station on Tenth street; I went there, and saw a detective by the name of Charley Stone, who told me that some horse had been taken up and taken to General Augur's headquarters. We went along together up to General Augur's office; I gave General Augur Herold's description and age, as far as I could; I told him I had pursued Herold as far as the Navy-yard bridge; a saddle and bridle were lying quite close to his desk, which I recognized as the saddle and bridle Atzerodt had on the horse he said he had sold; he asked me what kind of a horse he had; I described him as a big brown horse, blind in one eye; I did not remember the man's name then; I heard it in the office; he sent the detective, Charley Stone, down to the office, who brought up the name and gave it to the General.

A saddle and bridle were here brought into court, which were identified by the witness as those he recognized in General Augur's office.

Q. Did he call at 10 o'clock precisely? A. Yes.

Q. Did he speak of anything wonderful that night? A. He said "If this thing happened I would hear of a present."

Q. Had he been talking to you of anything before? A. No; but he seemed to be very much excited.

Q. When you left the city, was he going up the city in the direction of Ford's Theatre? A. Yes.

Q. You spoke of Herold's having a horse from your stable? A. Yes; he hired him from one o'clock, and said he would come after him at four o'clock, and came after him at quarter past four; he asked how much I would charge for the hire of the horse; I told him $5; he wanted him at $4; I told him he could not have it for that; he knew this horse, and inquired for this particular one; I told him he might take the mare in the stable; he said he would not have her; he wanted to see the saddle and bridle, I showed him the saddle; he said it was too small; I gave him another saddle; that did not suit him, they were not the kind of stirrups; he wanted English steel stirrups; he wanted to see the bridles; and I took him into the office; he picked out the double-rein bridle; before he mounted the horse he asked me how late he could stay out; I told him he could not stay later than eight o'clock, nine at the furthest.

Q. At what time did you see Herold riding that night? A. About half-past 10 o'clock was coming down from toward the Treasury, on the avenue. I met him close by Willard's, as he was passing Fourteenth street; when I spoke to him he rode off rapidly.

Q. Did he have a fast horse? A. Not very fast; he was a lady's horse, any one could ride him; he was so gentle and nice.

Q. Did he trot or pace? A. He had a single foot rack.

Q. Did he make any reply when you called him? A. Not the slightest.

Q. You had not then heard of the President's assassination? A. Not a word.

Q. Have you seen the horse Herold rode since that time. A. I have not.

Q. Did you see a saddle and bridle at General Augur's, on the night of the 14th? A. Yes; at two o'clock that night.

Q. Have you seen that one-eyed horse since? A. No.

## CROSS-EXAMINED BY MR. STONE.

Q. At the time Herold tried to jew you down in price, was it when he called at one or four o'clock? A. When he engaged the horse at one o'clock.

Q. When you saw him again at Willard's, did the horse seem to be tired? A. Not very; he seemed to kind a want to come to the stable.

Q. How near were you to him when you first saw him. A. Not fifteen yards; he was letting the horse go slow, as if he was bringing him up standing.

Q. Did you call him by name? A. I did not; it was then about 25 minutes past 10 o'clock.

Q. Are you satisfied it was the same man now here in the box (pointing to Herold)? A. Yes; very well satisfied.

Q. Were you acquainted with him before? A. The way I got acquainted with Herold was his coming to the stable about the 5th or 6th of April and inquiring for Atzerodt; he did not give his name, but inquired for a gentleman who kept his horse in a particular stable; I saw him nearly every day until the 12th coming there for Atzerodt, and sometimes riding with him.

Q. Which did you notice, the horse or man, particularly—horse or man. A. I noticed both, horse and man.

By Mr. Doster—Q. What time in the evening of the 14th did Atzerodt come to your stable? A. He left them there at a quarter of seven o'clock, and came back at a quarter of eight. The last time he came there was at ten o'clock. We went to the hotel, as I said, and took a drink; it must have been ten minutes before he left. The Union House was about one hundred yards from the stable, as far as I could judge.

Q. You took a drink with Atzerodt. Did he seem as if he had taken any more? A. Yes.

Q. What did you understand by the remark he made, "If this thing happens, you will hear of a present?" A. I did not pay much attention to that remark.

Q. What made you follow Atzerodt that night? A. On account of his acquaintance with Herold, who had rode away one of our horses.

Q. Did you suppose Atzerodt was going where Herold was? A. I supposed he was going so far away he was not going home. I knew he lived in "T. B." in Maryland, and I followed him for the purpose of finding Herold.

Q. Were you called upon to identify a horse in General Augur's stable? A. No.

Q. What did Herold tell you when he engaged the horse on the 14th? A. He told me he wanted to go riding with a lady. I did not ask him with who, and he did not tell me.

Q. How long was Atzerodt in the Kirkwood House on the night of the 14th, when you saw him come out? A. He did not stop more than five minutes. I was watching the house outside.

Q. If you followed him on foot, how did you happen to keep up with him? A. He started away from the stable rapidly, but soon afterwards rode slowly, and I could keep up with him. I reached the Kirkwood House just after he dismounted from the mare. The Kirkwood House is distant from the stable about two squares.

Q. Did you keep up with Atzerodt afterwards? A. No; I came within sight of him; he rode away on a walk.

Q. How far did you follow him? A. I just kept within sight until he turned into Tenth street, and [The witness, by direction of the court, was here sent to the Government stables for the purpose of identifying the blind horse referred to in his testimony.]

## EXAMINATION OF JOHN GREENAWALT.

Q. State whether or not you are the keeper of the Pennsylvania House, in this city. A. I am.

Q. Are you acquainted with the prisoner, Atzerodt? A. I am.

Q. Were you not acquainted with J. Wilkes Booth? A. I was not well acquainted with him; he came to the house.

A photograph exhibited to the witness was recognized by him as that of Booth.

Q. State whether or not the man Booth had frequent interviews with Atzerodt, at the Pennsylvania House? A. He had; Atzerodt would generally sit in the sitting-room and Booth would walk into the hall and then out again, followed by Atzerodt; Booth seldom entered the room; they had interviews in front of my house, and they would often walk off as far as the livery stable, where their conversation would take place.

Q. Did you at any time hear the prisoner Atzerodt speak of expecting to have plenty of gold soon? If so, state what you heard. A. He and some other young men whom he met came into my house. He had been drinking, and said: "Greenawalt, I am pretty near broke, though I have friends enough to give me as much money as will keep me all my life. I am going away one of these days, but I will return with as much gold as will keep me all my life-time."

Q. When was it he made that declaration? A. I think it was about the 1st of April. He came to my house, I think, on the 18th of March last.

Q. State how long before the assassination he left your house. A. I think it was on the previous Wednesday morning.

Q. Had he any baggage with him? A. No, sir.

Q. State when you next saw him. A. I next saw him on Saturday morning, the 15th of April, between two and three o'clock.

Q. Did he come into your house and ask for a room at that hour? A. I had just come into my house and gone to my room, when a servant came up to get change for a five-dollar bill, and told me there was a man by the name of Atzerodt down stairs, who wanted lodging. I went down and found Atzerodt and another man there.

Q. Did the two men take a room together? A. Yes, sir. Atzerodt asked for his old room. I told him that it was occupied, and that he would have to room with the other gentleman, whom I requested to go to his room with the servant. Atzerodt was going to follow him, and I said "Atzerodt, you have not registered." He said, "Do you want my name?" and appeared to hesitate. He finally went back and registered his name.

Q. Will you describe the appearance of the man who was with him? A. He was a man about 5 feet 7½ or 8 inches in height, and about 140 pounds in weight, of a dark, weather-beaten complexion, and dressed poorly, his pants being worn through.

Q. Had he the appearance of a laboring man? A. Yes, sir.

Q. Could you express an opinion as to whether the clothes worn by him were such as he probably ordinarily wore, or were assumed by him as a disguise? A. I guess they were more of a disguise; he had on a broadcloth coat which had been much worn; his whole appearance was shabby.

Q. What name did he give? A. I believe it was Sam Thomas.

Q. What became of him? A. He got up, I believe, about five o'clock the next morning and left the house. A lady stopping at the house desired to leave in the 6 15 train, and I gave orders to a servant to that effect. She left before I got up, and as she was going out of the door, this man Thomas went out and asked the way to the railroad. He had no baggage.

Q. Did Atzerodt remain? A. He left shortly afterward, walking toward Sixth street, westwardly.

Q. How long afterward? A. When the servant was returning he met Atzerodt, and said to him, "Atzerodt, what brings you out so early in the morning?" "Well," said he, "I have business."

Q. Had he paid his bill? A. No, sir; I did not see him again.

Q. Do you recognize him among the prisoners? A. I do.

Q. Did you observe anything unusual in the conduct of these men when they first came? A. No, sir; the man Thomas stared at me somewhat; he kept a close eye upon me.

Q. Did they have any conversation in your presence. A. No, sir.

Q. Which of them asked for a room? A. Thomas asked for a room for himself; as I came in Atzerodt was lying on a settee, and Thomas was standing at the counter, by the register.

Q. Do you know the prisoner, O'Laughlin? A. No, sir.

Q. Did Thomas make any remark to you? A. All he said to me was that he was a poor writer.

Q. Were either of the parties armed? A. I did not notice. I heard it said that Atzerodt had a knife.

Q. Had Atzerodt on any previous occasion hesitated to enter his name on the register? A. No.

Q. Did you ever see him armed? A. In March, I think it must have been, I saw him have a revolver, which he had just bought. He came in there and made the remark that he had just bought it: I told him I wished I had known that he was going to buy such an article, as I had a small one which I would have sold to him.

Q. Do you think you would recognize the revolver which was in his possession? A. I think I would.

[A revolver was then exhibited to the witness, which he described as being somewhat similar to the one shown him by Atzerodt, though he could not say that it was the one.]

## CROSS-EXAMINED BY MR. DOSTER.

Q. State on what day before the 14th of April Atzerodt left your house? A. It was on the 12th, I think.

Q. How long did he stay at your house on that occasion? A. From the 18th of March until the 12th of April. During that time he was away but once, when he stayed out over night. He told me he had gone to the country with a man by the name of Bailey.

Q. What were the arms which you have stated you saw in the possession of Atzerodt? A. A large revolver something similar to that one. Other persons say that he had a knife, but I never saw him with one.

In reply to several other questions the witness stated that he did not remember having made or having heard any remark preliminary to that of Atzerodt's with respect to his expectation of having enough gold and silver to keep him all his life. The man Thomas who came to the hotel on the morning of the 15th with Atzerodt did not seem to be intimate with the prisoner, though he judged them to be acquaintances. Atzer[...] not refuse to put his name on the register, n[...] he say that he would not like to do it. He di[...]eem sleepy or in liquor.

[The witness having been asked [...] he could identify the man Thomas from among [...] prisoners at the bar, pointed out the prisoner [...]angler, as having some resemblance to that per[...]. Thomas, however, had a moustache, which th[...]soner had not, and his hair was longer, and his complexion darker. The witness stated that he did not see Atzerodt and his companion enter the house, and therefore could not tell whether they entered together.]

## CROSS-EXAMINED BY MR. EWING.

Q. What induced you to suppose that the men came in together? A. My servant told me so.

Q. What kind of a moustache had the man whom you say the prisoner resembles? A. It was black. He had whiskers in front, and wore a dark slouch hat.

By the Judge Advocate. Q. I understood you to say you are certain that you did not see the prisoner O'Laughlin at your house? A. I did not; I do not know the man.

Q. Did the hair or moustache of the man appear to be dyed? A. No, sir.

Q. Did not Atzerodt object to this stranger coming into his room? A. No, sir.

Q. He simply acceded to it when you told him there was no other room? A. Yes, sir; I told him he would have to go with the man, Thomas.

By the Court. Q. Do you know whether they got up at the same time in the morning? A. I do not.

Q. Did they occupy the same bed? A. No, sir.

Q. On what day did Atzerodt leave your house before the assassination? A. On Wednesday, I think it was; he said to me then, "Greenawalt, I owe you a couple of days' board; would it make any difference to you whether I pay you now or when I come back?" He added that it would be more convenient for him to pay it when he came back. He allowed that he was going to Montgomery county.

Q. Do you know the prisoner with the black moustache, O'Laughlin? A. I do not.

Q. Do you recognize the face of the man Thomas among those of the prisoners at the bar? A. Cannot positively.

## EXAMINATION OF JOHN F. COYLE, ONE OF THE PROPRIETORS OF THE "NATIONAL INTELLIGENCER."

Q. State to the court whether you were acquainted with J. Wilkes Booth, during his lifetime. A. I knew him.

Q. Did you know him intimately? A. Not at all.

Q. J. Wilkes Booth, before he died, made this statement: that on the night before the assassination of the President he wrote a long article, and left it for one of the editors of the *National Intelligencer*, in which he fully set forth his reasons for the crime. Will you state whether such a paper was received? A. I never heard of any such paper.

Q. Are you quite certain that no such paper was ever received at the office? A. Not that I ever heard of.

## EXAMINATION OF HEZEKIAH METTS.

By the Judge Advocate.—Q. Where do you reside? A. In Montgomery coun[...] circumstances. A. I recognize the p[...]r at the bar. On the Sunday after the de[...] of Mr. Lincoln he was at my house and ate his dinner there. He was just from Washington, and was inquiring about the news. Some conversation took place about General Grant having been shot, as we understood that he had been shot on the cars. He then said that if the man that was to have followed him had followed him, it would have been so. I so understood him.

Q. Did he speak of the assassination of the President? A. Not that I recollect. I have no recollection of anything further.

Q. How far is your residence from Washington? A. About twenty-two miles.

Q. Did the prisoner represent himself as having come from Washington? A. Yes, sir.

Q. Did he speak at all of the assassination which had just occurred here? A. I do not recollect of his having said anything; the conversation turned on General Grant.

Q. Did you make any inquiry after he made that statement? A. Not at the time; we talked about the matter after he left.

Q. Did his manner seem to be excited? A. I could not say that it was.

Q. Where did he represent himself to be going? A. He did not tell me where he was going.

Q. By what name did he call himself? A. He passed in the neighborhood under the name of Andrew Atwood.

## CROSS-EXAMINED BY MR. DOSTER.

Q. What is your business? A. Farming.

Q. How long had you known Atzerodt before the visit you have spoken of? A. I think it is between two and three years since I first got acquainted with him in that neighborhood. I merely knew him when I saw him; I do not recollect that I ever saw him but once before this Sunday he came there.

Q. You say he went by the name of Andrew Atwood around that country? A. Yes, sir; that is the only name I knew him by.

Q. At what time in the day did Atzerodt arrive, and how long did he stay? A. He came, I suppose, between 10 and 11 o'clock; I suppose he stayed some two or three hours.

Q. Did he recognize you as an old acquaintance? A. He knew me.

Q. Did you speak about the assassination? A. I do not recollect saying anything about the assassination.

Q. Was anybody else present and talking with you when he made the remark about somebody following General Grant? A. Yes, sir; there were a couple of young men; we were all in the room together. I was about three yards from Atzerodt when he made the remark.

Q. Was not this the answer, "That a man must have followed General Grant to kill him?" A. No, sir; it was not spoken in that way. It was, "That if the man who was to have followed him had followed him, Grant would have been killed."

In reply to a question by the court the witness stated that the young men present at the time of the prisoner's remark were brothers by the name of Lemon, who resided in the neighborhood.

## TESTIMONY OF SERG'T G. W. GEMMILL—EXAMINED BY JUDGE HOLT.

Q. Do you recognize the prisoner Atzerodt as a man whom you ever saw before? A. Yes, sir.

[The witness then detailed the circumstances attending the prisoner's arrest, which occurred on the 19th. At the time of his arrest he denied that his name was Atzerodt, and gave another.]

Q. Did the prisoner ask why you arrested him? A. No, sir.

Q. He made no inquiry? A. No, sir; I asked him just before we left Germantown, whether he had left Washington recently; he told me no; then I asked him whether he had not something to do with the assassination, and he said no.

Q. Did he persist in denying his name? A. He said that he had not given a fictitious name.

Q. At what time did you ask the question as to whether he was connected with the assassination? A. It was between the hours of seven and eight o'clock, as I was going to leave Germantown.

Q. You arrested him about four o'clock, and up to seven or eight o'clock he had made no inquiry as to the cause of his arrest? A. No, sir.

During the cross-examination the witness stated that he proceeded in quest of Atzerodt in pursuance of orders from Captain Townsend to find a man by the name of Atwood. Witness could not state positively that the name first given by the prisoner was not Atzerodt. He spoke German, and witness could not understand the language, but was certain that the prisoner stated he had not come from Washington.

## RE-EXAMINATION OF JOHN FLETCHER BY THE JUDGE ADVOCATE.

Q. Since leaving here have you visited the stable at the corner of Seventeenth and I streets and examined the horse in regard to which you testified? A. Yes, sir.

Q. Where did you find the animal? A. I found him in the middle of the headquarter's stable, Seventeenth and I streets, in the first stall.

Q. Did you examine him and recognize him as the horse spoken of in your testimony as having been taken from your stable by Atzerodt? A. Yes, sir. He was blind in the right eye.

## EXAMINATION OF THOMAS L. GARDNER BY JUDGE HOLT.

Q. Have you or not any knowledge of a dark bay one-eyed horse now in General Augur's stables at Seventeenth and I streets, Washington? A. Yes, sir.

Q. When did you last see the animal? A. I saw him on the 8th of this month.

Q. Have you any knowledge of the horse having been sold by your father; and if so, to whom? A. He was sold by my uncle, George Gardiner, to a man by the name of Booth.

Q. When? A. Sometime in the latter part of November last, I think.

Q. Do you mean J. Wilkes Booth? A. I do not know the first name.

Q. How near is your uncle's residence to that of Dr. Mudd's? A. Not over a quarter of a mile away.

Q. Do you know whether Booth purchased the animal on the recommendation of the prisoner, Dr. Mudd? A. I do not.

Q. Did he come there alone, or with others? A. He came there with the prisoner, Dr. Samuel Mudd.

Q. Describe the horse. A. He is a dark bay horse, and is blind in the right eye.

By the Court.—Q. Were you at your uncle's when Booth and Mudd came to buy the horse. A. Yes, sir.

Q. Did they come in a carriage, or on horseback? A. I think they were on horseback.

Q. Did they both leave together? A. Yes, sir.

Q. Did Dr. Mudd take any part in the purchase, or evince any interest in the matter? A. Not that I was aware of.

## CROSS-EXAMINED BY MR. STONE.

Q. Where did Booth take the horse? A. At his request I took the horse next morning to Montgomery's stable in Bryantown.

Q. Did Booth say what kind of a horse he wanted? A. He said something about wanting a horse for a buggy with which to travel over the lower part of Maryland to look at the land; my uncle told him he would sell him a young mare, and Booth said that a mare would not suit him; he then showed him a horse and Booth said, finally, that that horse would suit him; he said he only wanted a horse for one year.

Q. On what day of the week was this? A. I think it was on Monday.

Q. Did you see Booth at church on the previous day? A. No, sir.

By the Court.—Q. Was Booth in the habit of staying at Dr. Mudd's when he was in the neighborhood? A. I do not know that he was ever in the neighborhood before; it was the first and the last time that I ever saw Booth.

By Mr. Stone.—Did you ever hear of his being in the neighborhood? A. I think I did hear of his being in the neighborhood of Bryantown before that—never since.

## EXAMINATION OF LIEUT. JOHN J. TOFFEY BY THE JUDGE ADVOCATE.

Q. Have you any knowledge of a dark bay horse, blind of one eye, now at General Augur's stables in this city, corner of Seventeenth and I streets? In reply, the witness stated that, on the night of the 14th of April, about half-past twelve o'clock, he was going to the hospital where he was stationed, when he saw a horse standing near Camp Barry, about three-quarters of a mile east of the Capitol. He took charge of the animal, and, in compliance with orders, finally delivered it to other hands at General Augur's headquarters, having taken the saddle off the horse. The horse was a large brown animal, blind of one eye.

A saddle was exhibited to the witness, which he recognized as the one taken off the horse by himself. He testified further that when he first saw the horse it was saddled and bridled, and that the animal was a little lame, which was probably one of the results of having fallen.

The Court then adjourned to meet on Thursday morning at ten o'clock.

## THURSDAY, MAY 18.

This day's session of the Commission was unusually interesting, bringing to light and establishing by legal proof the action and endorsement of Davis in the Southern plot to fire the cities of the North. The arch-rebel's writing was identified by old members of the War Department, who had served under him when he acted as Secretary of War, during the Administration of Franklin Pierce. The history of the convicting letter is succinctly given, and the whole brought clearly and indisputably out in open court, according to the most accepted rules of legal evidence, beyond even the cavils of Copperhead ingenuity.

During the reading of the letter, the court, unusually full, was hushed as a Quaker meeting; and when the endorsement was read, a murmur passed through the court and audience, evidencing the indignation to which the solemnity of the time and place alone denied louder expression.

The confession of Arnold regarding the abduction plot, the plotters' old plan of throwing the President alive from the box of the theatre into the yearning arms of "Sam," the serious evidence brought forth against Dr. Mudd, the telegrams of Booth to O'Laughlin, all combine to invest the proceedings of yesterday with a far deeper interest than has attached to those of any other of the court's open sessions.

## EXAMINATION OF R. REEVE.

By the Judge Advocate.—Q. State where you reside. A. At Brooklyn, New York.

Q. In what business were you engaged in March last? A. In the telegraph business.

Q. Look at this despatch and state what you know in regard to it. A. It was handed to me at the St. Nicholas Hotel, by J. Wilkes Booth, to be sent to Washington.

Q. Will you read it, sir? A. The witness read as follows:

NEW YORK, March 23, 1865.

To —— *Wickman, Esq., No. 541 H street, Washington, D. C.:*

Tell John to telegraph number and street at once. J. BOOTH.

Q. Was that J. Wilkes Booth? A. It was.

Q. Was it sent on the day of its date? A. It was sent on the 23d of March to this city.

## CROSS-EXAMINATION.

By Mr. Aiken.—Q. How do you identify that telegram? A. I remember that he signed his name "J. Booth" instead of J. Wilkes Booth, which was his full name.

Q. Were any remarks made to you by the man who gave you that despatch, at the time of his giving it to you? A. No, sir; I was busy at the time, but in sending it I noticed that the middle name was left out.

Q. Are you in the habit of keeping all despatches sent? A. Yes, sir.

By the Judge Advocate.—Q. Is this the original despatch? A. Yes, sir.

By Mr. Aiken.—Q. What sort of a looking person gave you that despatch? A. If I saw his likeness I could tell.

## RE-EXAMINATION OF LEWIS WEICHMAN.

By the Judge Advocate.—Q. Look at that telegram and state whether you received it on the day of its date? A. I cannot say that I received it on the 23d of March, but I received a telegram of the exact nature of this one.

Q. Who is the person referred to there as John? A. John Surratt; he was frequently called John.

Q. Did you not deliver the message to him? A. I delivered the message to him the same day.

Q. What did he say? A. I questioned him as to what was meant by the number and street. He replied to me, "Don't be so damned inquisitive."

Q. See whether this is the telegram you delivered? A. It is.

The witness, by request of the Judge Advocate, then read the telegram, which was a copy of the one given above.

Q. Do you know the handwriting of J. Wilkes Booth? A. I have seen his handwriting, and could recognize his autograph. [The witness was then shown the original telegram purporting to have been written by Booth.] That is his handwriting.

Q. State whether on or about the fourth of March last, you had an interview in your room with J. Wilkes Booth, John Surratt, and Payne, the prisoner at the bar? A. I will state that as near as I can recollect, it was after the fourth of March, and the second time that Payne visited the house, when I returned from my office one day at half past four o'clock, and went to my room. I rang the bell for Dan, the negro servant, and in reply to an inquiry which I addressed to him, he told me that John had ridden out about half past two o'clock in the afternoon, with six others, on horseback. On going down stairs, I found Mrs. Surratt weeping bitterly, and asked her what was the matter. She said to me, "Go down and make the best of your dinner, John has gone away." About half past six o'clock John Surratt came back, and was very much excited, in fact, he rushed frantically into the room. He had one of Sharp's small six-barrelled revolvers in his hand. I said, "John, why are you so much excited?" He replied, "I will shoot any man who comes into this room; my hopes are gone and my prospects blighted; I want something to do; can you get me a clerkship?" The prisoner, Payne, came into the room, and about fifteen minutes afterward Booth came into the room, and was so much excited that he walked

[illegible]

[illegible]

I am now. I think, of the two, I was more of a man [illegible] than he was now.

By Mr. Bingham.—You spoke of reading a publication in the Tribune, of Mason, in referring to what he regards the President's. Yes, I remember that publication. I have seen a publication somewhere with the title which bears pretty well in the country, for more definitely the face of that title—I cannot remember it now. I have seen a publication that I do. I think it was over it. I would also state that a letter in the Washington Republican a statement purporting a correspondence between ex-President Lincoln and Secretary Seward in relation to the matter of the Fort Sumter affair, Sumter, and his name would go down to posterity forever as a traitor.

Q. You think that was the correspondence they appeared to have come to from a rise in the country? A. I have seen that, I think, in print.

By Mr. Grinnell.—Do you recollect the evening the proclamation appeared of the President from the Chair? A. Yes, sir; I was in the Chair. Q. Was there any conversation, any declaration, any remarks made by any person in the Chair in relation to the proclamation? A. Yes, sir; there was a great deal of conversation. Q. Will you state what it was? A. I will state what I can recollect. I was in the Chair, and I was called upon to read the proclamation, and I read it, and after I had read it, I was asked by a number of persons to read it again, and I did so. Q. Will you state what remarks were made by any person in the Chair? A. I cannot state what remarks were made by any person in the Chair, but I can state what remarks were made by myself. Q. State whether or not the President made any remarks in the Chair? A. I cannot state that he did.

By Mr. Wilson.—Q. Is there anything peculiar about that letter, which you have in your hand? A. Yes, sir, in one respect.

Q. What is that? A. It is dated March 27, 1865.

TESTIMONY OF JUDGE ADHAM B. OLDS.

EXAMINED by JUDGE HOLT.—Q. State whether you were present on the 15th of April you visited Ford's Theatre, and reported what it was you saw there? A. I was present at the theatre on the evening of the 14th of April, and on the morning, or Sunday, the 16th, I visited the theatre, and reported what I saw there. Q. Will you state what you saw there? A. I saw the President's box. Q. In box, dear, No. 3. A. The first matter in which I was interested was the door of the box, which I was well prepared to receive a house, the door was a double door, and the door that opened into the box was a single door, and the door that opened into the box opened the passage leading to the box; it opened to the right, and there was a lock on the door, and a bolt on the door. Q. Was the door locked? A. The door was locked; the door was broken; I saw the door was broken; the panel of the door was broken; the door was locked; the door was broken in the panel; the door was broken in the panel; I observed at once that the door was broken in the panel, and I observed that the door was locked; I observed that the door was broken in the panel, and I observed that the door was locked; I observed that the door was broken in the panel, and I observed that the door was locked; I observed

Q. Did he ask you at all in regard to the cause? A. Nothing that occurs to my mind at present.

Q. Did he speak of the assassination of the President at all? A. He spoke of it as being a very bad affair.

Q. Did you find any arms in his possession? A. No, sir. We searched him and found none whatever.

## CROSS-EXAMINED.

By Mr. Cox.—Q. Did the brother-in-law of the prisoner send for the prisoner or go with you to arrest him?

Judge Bingham objected to the question.

Mr. Cox stated that the object was to show that the brother-in-law of the prisoner went after him voluntarily.

Judge Bingham replied the question was not properly a portion of the cross-examination, but was altogether new matter. What the prisoner said to his brother-in-law had not been offered in evidence, and, in addition to that, it had been shown that the prisoner had resolved not to be taken at home, and was going to change his boarding-house.

Mr. Cox. The object of the prosecution, I presume, is to show that the purpose of the prisoner in changing his lodgings was to avoid arrest. The witness having testified that the prisoner was found elsewhere, I desire to ask him whether he found the prisoner at the instance of his (the prisoner's) brother-in-law.

The objection was overruled, the commission deciding that the question should be answered.

A. The prisoner's brother-in-law, Mr. Maulsby, I am well acquainted with. He was recommended to me on Sunday evening as being a good Union man, as one in whom I could place confidence. He knew I was looking for Mr. O'Laughlin, and I told him I wished him to assist me. He said that anything he could do to assist me he would do; that if he could get any information concerning the prisoner he would impart it to me. That was on Sunday evening. On Monday morning he came to me and told me that he thought if I went with him we could find O'Laughlin. I then went with him and arrested the prisoner.

Q. Did the prisoner say anything about having received any information as to whether the detectives had been at his house? A. I think he said that when he got to his house, on Saturday afternoon, he heard that they had been there.

Q. Did he protest his innocence of the crime? A. He said he knew nothing whatever about it.

Q. Did he say he could show his innocence of it by the persons with whom he had been in company? A. He said he could account for his whereabouts all the time that he was in Washington, through parties who were there with him.

Q. Did he say he left home after being advised that detectives were there after him? A. I do not remember that he said so.

## EXAMINATION OF JAMES GIFFORD.

By the Judge Advocate.—Q. State whether you have been connected with Ford's Theatre in this city, and in what capacity? A. I have been; in the capacity of builder.

Q. You were the carpenter of the building? A. Yes, sir.

Q. Did you occupy that position on the 14th and 15th of April last? A. Yes, sir.

Q. Did you observe the President's box on that day? A. No, sir; I was not in it.

Q. Do you recollect having seen any one in it? A. Well, I saw Mr. Harry Clay Ford in it at one time, and Mr. Raybold.

Q. Any one else? A. No, sir.

Q. Did you observe a large rocking-chair which was in the President's box on the day of the 14th? A. I did not notice it on the 14th.

Q. When did you see it? A. I saw it on the following Sunday, in the box.

Q. Do you know when it was placed in the box, and by whom? A. I do not.

Q. Do you know whether it was ever there before? A. I do not think it had been there before during this season. I saw it last season.

Q. Do you know who took it away? A. No, sir.

Q. Do you know whether the stage scenes remain now as they were on the morning of the assassination?

The witness's reply was somewhat inaudible at the reporter's desk, but he was understood to say that with the exception of a slight disarrangement which had been made by order of the Secretary of War, in order to secure a view of the stage, the scenes were in the same position as on the morning of the assassination.

Q. Have you examined the wall in the President's box? A. Yes, sir.

Q. When did you examine it first? A. I think it was on Monday morning, after the assassination, when I first saw it.

Q. You had not seen it before? A. No, sir.

Q. When had you been in the box last? A. I cannot state positively; I judge it was within a week.

Q. Do you think that if the mortise had been there you would have observed it? A. Yes, sir, I think so.

Q. Had it the appearance of having been very recently made? A. It looked so to me.

Q. By what instrument would you suppose it to have been made? A. I should think it was made by a knife.

Q. Would it not require a good while to make it with a knife? It is quite a large mortise. A. It would require a man some fifteen minutes, I should judge.

Q. If the three doors of the place were all closed it would be entirely dark there, would it not? A. Yes, sir.

Q. Do you not think that one or more of those doors must have been opened when this mortise was made? A. It might have been so, some light would have been required, I should think.

Q. Would not such an operation, made with an open door, be likely to attract the attention of persons connected with the theatre? A. If a knife was used it would not; if a chisel or hammer was used they would create sounds.

Q. What were the duties of the prisoner, Spangler? A. He worked on the stage, made scenery, fixed up the stage, &c.

Q. Was the decoration of this box within his line of duties? A. No, sir; there was a gentleman there by the name of Raybold, who was an upholsterer, whose duty it was to decorate the box, but he had a stiff neck so he told me afterward. When I asked him if I did not see him in the box he said "yes, but I did not decorate it."

Q. Where were you at the moment of the assassination of the President? A. I was standing about ten feet from the centre of the big lamp, just at the edge of the platform.

Q. On the stage? A. No, sir; in front of the house, outside. I came out to the front of the house after having been in about three or four minutes.

Q. You allude to the front part of the theatre? A. Yes, sir.

Q. Had you been behind the scenes? A. Yes, sir.

Q. How long before? A. About twenty minutes before.

Q. While there did you see the prisoner, Spangler? A. Yes, sir.

Q. What was he doing? A. He was on the left hand side; I came out before the curtain went up; he was waiting to transact his business, which was scene shifting.

Q. Was it not usual for the passageway which leads to the back door to be kept entirely free of obstructions while a piece was being played? A. The outside passage was always kept free; the entrances were more or less filled with chairs and tables, though that depended on what was being played; sometimes, as in pieces where a large number of scenes were used, the passages became jammed up.

Q. Do you know who made the mortise or the bar which was found there? A. I do not.

## CROSS-EXAMINED.

By Mr. Ewing.

[A paper which purported to be a plan of the interior of the theatre was shown to the witness, with the request that he should state whether it was correctly drawn. The witness pointed out that it was defective in several particulars.]

Q. State whether the passageway across the stage to the outer door was ordinarily obstructed during the play? A. Only by people, when there was a large company on the stage; there was never any chairs, tables, or scenery in the way.

Q. Was it not necessary to keep the passageway clear in order to allow the actors and actresses to pass without obstruction from the dressing-room to the stage? A. Yes, sir.

Q. How is the back door (the small one) usually left? A. It is usually left open after the performance is over.

Q. Do you mean that it is left swinging open, or merely unlocked? A. Left unlocked. The only door that is left open is the door leading to the side of the house.

Q. State what position Mr. Spangler occupied during the performance? Q. His business was on the left-hand side of the stage—the right-hand from the audience.

Q. Was that on the side of the President's box? A. Yes, sir.

Q. State at what times during the performance you were on the stage that night. A. I was on the stage until the curtain went up. When it was lowered, I came around on the stage to see that everything was right.

Q. State what times during the evening, when you came on the stage between the acts, you saw Mr. Spangler. A. I could not state the time exactly; I judge that the last time I saw him was about half-past nine o'clock.

Q. State whether you saw him each time? A. Yes, sir; each time.

Q. He was your subordinate, was he not? A. He was.

Q. State where you were during that play when you were not on the stage. A. I was in the front of the house; I walked down to D street and Tenth to look at a big lamp which I had put up there, during the performance of the first act; I walked up to next the corner of Tenth street and F and took a glass of ale during the second act; during the third act I did not leave the house at all.

Q. You were, then, in front of the theatre part of the time between the second and third acts? A. I was on the stage between the acts.

Q. Where were you during the performance of the second act? A. To the best of my knowledge I was then in the front.

Q. All the time? A. Not all the time.

Q. How much of the time? A. Well, I don't know. I walked in and stayed may be five or ten minutes, and walked out.

Q. State whether or not you saw the prisoner, Spangler, at any time during that play in front of the theatre? A. I did not. I do not think he could have been in front of the theatre without my knowing it, because the scenes would have gone wrong if he had left the stage.

Q. Did you ever see Spangler wear a moustache? A. No, sir; he never wore one since I knew him.

Q. Do you know how he was dressed that evening? A. No, sir; I did not take any particular notice of him.

Q. He was dressed ordinarily? A. About the same as he is now.

Q. Was not the play of the "American Cousin" one in which the scenes were shifted a good deal? A. They were what we call plain scenes. I believe there were some five or six scenes in each act.

Q. Then Spangler's presence there would have been indispensable to the performance? A. Yes, sir; if he had not been there, the scene would have gone on.

Q. Did you hear Booth call Spangler that night? A. No, sir.

Q. What had Spangler to do with Booth? A. Nothing that I know of. Booth was rather friendly, and everybody about the house was friendly with him. He had a winning way about him that would make every person like him. He was a good-natured, jovial kind of a man.

Q. Was he not very much in the habit of frequenting the theatre? A. Sometimes I have seen him there for a week. Then he would go off, and I would not see him for a couple of weeks.

Q. Did he not have access to the theatre as one of the employees would have? A. Yes, sir.

Q. Had he access by the back entrance at any time? A. Yes, sir; at any time when the employees of the theatre might go in.

Q. Day and night? A. At any time when the house was not locked up.

Q. Was not Spangler a sort of a drudge for Booth? A. He appeared so; he used to go down and help to fix Booth's horse; I have seen him myself once or twice look up the horse.

Q. Was that hole in the wall cut into the brick? A. No, sir; I believe not, to the best of my knowledge, it was cut in only about an inch.

Q. And it could have been done with a penknife? A. Yes, sir; I think it might have been done with a penknife.

[The witness was then shown the stick or bar found in the President's box, which he failed to identify in any manner.]

Q. How long would it have taken with an ordinary pocket-knife to cut the hole in the wall of which you have spoken? A. I suppose that a man intent on mischief would have done it in ten or fifteen minutes. After the face of the plaster was once broken, it could be accomplished very easily.

Q. I believe you stated that you did not know how the lock in the door of the President's box came to be made loose? A. I do not know.

Q. When did you first hear that the President was coming to the theatre on that evening? A. I heard it between 11 and 12 o'clock on that day.

Q. Do you know whether he was invited to the theatre? A. I do not.

## TESTIMONY OF MRS. MARTHA MURRAY.

Examined by Judge Holt.—Q. Look at the prisoners at the bar, and see if you can recognize any of them? A. I have not seen any of them, unless it is that gentleman (pointing to Payne, who was directed to stand up); he has the same appearance of a man I saw.

Q. Was the person of whom you speak a boarder at your house? A. Yes.

Q. Under what name did he pass? A. I did not hear any name. When Mr. McDevitt came to the house afterwards, I showed him the name on the book I thought was entered when he came there, and he (McDevitt) cut the name out of the book. I cannot remember what the name was.

Q. How long did he remain there? A. He came on Friday, and left Friday two weeks after.

Q. You keep the Herndon House, do you not? A. My husband does.

Q. Was the Friday on which he left the 14th of April last? A. Yes; the day the President was assassinated.

Q. What time in the day did he leave? A. About four o'clock. We had dinner at half-past four. This gentleman said he was going away, wanted to settle his bill, and wished dinner before the regular dinner. I gave orders to have an early dinner given him, and I never saw anything further of him.

Q. Did he come to your house as an invalid? A. No; he said he came from the cars about eleven or twelve o'clock.

Q. Did he come alone or with others? A. He came alone.

Q. Was he visited by others while there? A. I expect he was.

Q. Would you be able to recognize any persons who visited him (look at the prisoners)? A. No; I do not see any one I could recognize. I never noticed any one; but one evening, when at the supper table, two gentlemen came in. I had finished my supper, got up, and did not pay any further attention. I left them sitting at the table.

Q. Had any one spoken to you for a room for this man before he came? A. No; not to my knowledge. There were some gentlemen spoke to me for rooms, but I can't recollect any one speaking for this man.

Q. Do you remember whether John H. Surratt called at your house? A. I do not know him; never heard of him till this circumstance.

## CROSS-EXAMINATION.

By Mr. Doster.—Q. State to the court the location of the Herndon House? A. It is on the corner opposite the Patent Office.

## TESTIMONY OF WM. H. WELLS, COLORED.

Examined by Judge Advocate.—Q. State whether or not, on the 14th of April last, you were living in the house of Mr. William H. Seward, Secretary of State, and if so, in what capacity? A. I was in the capacity of waiter.

Q. Look at these prisoners at the bar and see if you recognize either of them? A. Yes; I recognize that man (pointing to Payne).

Q. Did he attempt to come into the house of Mr. Seward on the night of the 14th of April? A. He did.

Q. State the circumstances connected with his entrance into the house? A. When he came, he rang the bell; I went to the door; this man came in; he had a little package in his hand, and said it was medicine from Dr. Verdi; he said he was sent by Dr. Verdi with it, and he must come up; I told him he could not go up; then he repeated the words over, a good while talking to me, "must go up," "must see him;" I told him he could not go up, that it was against my orders; that if he would give me the medicine, I would tell how to take it, if he would leave me the directions; that would not do; he started to go up; finding he would go up, I stepped past him, and went up the stairs before him; I asked him to excuse me; I thought, perhaps, he would say that I refused to let him come up; I thought maybe he might be sent by Dr. Verdi, and that he would tell Mr. Seward. I tried to stop him, he said, "All right;" I noticed that his step was very heavy; I asked him not to walk so heavy, he would disturb Mr. Seward; he met Mr. Frederick Seward on the steps outside the door, and had some conversation with him in the hall.

Q. Did you hear that conversation? If you did, state it. A. He said to Mr. Frederick Seward that he wanted to see Mr. Seward. Mr. Frederick told him that he could not see him. He said that his father was asleep at that time; to give him the medicine and he would take it to his father. That would not do, "he must see him," "he must see him," "he must see him." Mr. Frederick said, "You cannot see him," "you cannot see him." He kept on telling him "he must see him." Mr. Frederick says, "I am the proprietor here; I am Mr. Seward's son; if you cannot leave it with me, you cannot leave it at all." He had a little more talk, still holding the little package in his hand. Mr. Frederick would not let him see him anyway. He started toward the steps as if to go down. I started to go down before him. I had gone about three steps and turned round, saying, "Do not walk so heavy." By the time I had turned round he jumped back and struck Mr. Frederick. By the time I had turned clear round Mr. Frederick had fallen, and thrown up his hands; then I ran down stairs and halloed "murder;" I went to the front door and cried "murder;" I then ran down to General Augur's headquarters, at the corner of I; saw no guard, and ran back. By that time three soldiers had come out of the building and followed me. I had got about half way back to the house when I saw this man run out and get on his horse. He had on a light overcoat and no hat. He had on a hat when he came into the house. I had not seen the horse at all before. I halloed to the soldiers there he is getting on his horse. He got on his horse and started off. I followed him as far as the corner of I and Fifteen-and-a-half street. He turned up Vermont avenue, and I lost sight of him there.

Q. Did you see with what he struck Frederick Seward? A. I did not exactly see. Whatever it was, it appeared to be round and mounted with silver. I took it to be a knife afterwards.

Q. How many times did he strike him? A. I saw him raise his hand twice. I did not wait to see how many times he hit him; he hit him twice and then I ran down stairs.

Q. Did this man say anything as he struck him? A. When he jumped back again he just said to him "You," and hit him over the head; that is all I understood him to say.

Q. Was Dr. Verdi Mr. Seward's family physician? A. He was.

Q. Did Payne abuse you in talking to you? A. No, he didn't say much to me, only kept saying, "Must see him," "Must see him," and walking very slightly forward all the time.

Q. Had you ever seen this man before that you know of? A. No; never that I know of.

Q. When you came out did you observe any person about the door or pavement? A. No, sir; no one at all.

Q. You did not observe his horse? A. I did not see any horse at all.

Q. How far were you from him at any time after he mounted his horse? A. I must have been about as far as from here to that door (about twenty feet).

Q. Did you see the color of the horse? A. He appeared a bay horse, very stout; he did not appear to be going very fast till he got to I street, then he got away from me altogether.

## CROSS-EXAMINED.

By Mr. Doster.—Q. How old are you? A. I don't know exactly; I reckon between nineteen and twenty.

Q. How long had you been at Mr. Seward's? A. Nine months.

Q. Have you ever been to school? A. Yes, four or five years.

Q. Where, precisely, was this man standing when you had this conversation with him? A. He was just inside the door; I had closed the door.

Q. Did he give you the package of medicine at any time? A. No, he did not hand it to me.

Q. Do you say he talked rough to you? A. He did not talk rough. He had a very fine voice when he came in.

Q. You say you recognize that man as the prisoner at the bar? State what there is about this man that resembles the man you saw that night. A. I noticed his hair, his pantaloons, and his boots, that night. He was talking to Mr. Frederick at least five minutes. He had on very heavy boots, black pants, light overcoat, and brown hat. His face was very red at the time he came in. He had very black, coarse hair.

Q. Have you seen the same boots on this man? A. Yes, the night they captured him.

Q. Have you seen the same clothes on him? A. I have seen the same pantaloons he had on—black pantaloons.

Q. Would you infer from the fact that he wore black pants that it was the same man? A. No; I knew his face.

Q. What points about his face besides his hair did you notice? A. I noticed that when he talked he kind of raised the corner of his lip, and showed a wrinkle in his jaw as though his teeth were set very tight. I knew him the moment I saw him.

Q. Did he talk when you recognized him the first time? A. He did not talk then, but I noticed the raising of his lip that I had seen when he was talking with me.

Q. When have you seen the prisoner before since the night of the assassination? A. I saw him on the 17th at General Augur's headquarters.

Q. How did you happen to go there to see him? A. They sent for me to the house. Mr. Webster and another gentleman came for me.

Q. What did they say to you? A. They sent a man up to the room where I was, and asked me to get up; I asked him what they wanted; it was in the night about two or three o'clock; he said Mr. Webster wanted me; I had been getting up every night since the thing happened, and I asked him to ask Mr. Webster to come up to my room, I was tired of getting up at night. When I got up I saw Mr. Webster; he told me he wanted me to go down to General Augur's; I went down there, there was a light, very bright, in the hall at the door; they asked me how light it was at Mr. Seward's that night; I told them it was not light in our hall, that the burner didn't give but very little light; they asked me what kind of a looking man the one was who came to Mr. Seward's; I told them he had black hair, thin lips, a fine voice, very tall, and broad across the shoulders. There were about twenty or thirty gentlemen in there; they brought in one man and asked me if he was the one, and then brought in another; neither looked like him, and I told them no; they then opened the middle door, and this man came walking in at the door. The light was turned up very high; as soon as I saw him I put my finger right on his face and said I knew him; that was the man.

Q. Did either of the two men they showed you before look like this man? A. No; one had moustaches; the other whiskers.

Q. Were they as tall as this man? A. No; they were short; they didn't look at all like this man.

Q. Had you at that time heard of any reward for the apprehension of the supposed assassin of Mr. Seward? A. Yes, I had heard of a reward for the different ones, but I had not heard of a reward offered for this one, and have not yet; I saw a bill posted up the next morning from General Augur's headquarters offering a reward, but not for this man.

Q. Did any one offer you money before this man's apprehension? A. No, sir.

Q. Did anybody threaten you? A. No.

Q. When the prisoner struck Mr. Seward and you went down stairs, did you find any soldiers there? A. No; the passage was free, the door was closed. I went down, opened the door and kept on down to the corner.

Q. What kind of a pace had the horse when he rode away? A. It seemed as if he went very slow at first, for I kept up with him till he got to I street. Then he went off at a rapid rate.

## TESTIMONY OF SERGEANT GEORGE F. ROBINSON.

By Judge Holt.—Q. State whether or not on the night of the 14th of April last you were at the residence of Wm. H. Seward, Secretary of State? A. I was.

Q. In what capacity there? A. In attendance as nurse upon Mr. Seward.

Q. Look at the prisoners here, and see if you recognize either of them as having been at that house that evening? A. I see one of them who [illegible] (pointing to Payne.)

Q. State the circumstances attending the encounter between the person of whom you speak and Mr. Seward. A. The first I saw of him I heard a scuffling in the hall; I opened the door to see what the trouble was; as I opened the door he stood close up to it; as soon as it was opened wide enough he struck me and knocked me partially down, and then rushed up to the bed of Mr. Seward, struck him, and wounded him. As soon as I could get on my feet I endeavored to haul him off the bed, and he turned upon me. In the scuffle there was a man came into the room who clinched him; between the two of us we got him to the door or by the door, when he clinched his hand round my neck, knocked me down, broke away from the other man, and rushed down stairs.

Q. What did he strike you with? A. He struck me with his fist the last time; the first time with a knife.

Q. Did he stab you, and if so, where? A. Yes; here (pointing to about the centre of his forehead.)

Q. Did he say anything when he struck you? A. He did not that I heard.

Q. Did he pass immediately to the bed of Mr. Seward when he first knocked you down? A. He did.

Q. Did you see him strike Mr. Seward? A. I did.

Q. With the same weapon he struck you with? A. Yes.

Q. How often? A. I saw him cut him twice.

Q. Did he seem to be cutting at his head, or where? A. He struck beyond his neck the first time; then he struck him on the neck.

Q. Describe how he held the knife? A. He held it in this way—(raising his hand, which held the knife, pointing downwards.)

Q. Did it seem to be a large knife? A. It did.

Q. Did he say anything at all after stabbing him? A. Not that I heard.

Q. Did you observe the wounds that had been inflicted? A. I did.

Q. Look at this knife, and see if it is the same one he held in his hand? A. It was about the length of that; it looked as though it might not be as wide, but I only saw it in motion.

Q. Describe the character of the wounds inflicted on Mr. Seward. A. There was one cutting his face down on the left side, and another one cutting an inch below. I think they were both made by the same blow. He was sitting partially up in bed at the time, his head reclining, so that the same blow might have made both. The other cut was on the opposite side of the neck. There were three wounds in all. It was all bloody when I saw it. I do not know but there may have been more.

Q. Was Mr. Seward in bed at that time? A. He was.

Q. From what cause? A. He had been thrown from his carriage.

Q. Were his limbs broken? A. I was told that one of his arms was broken and that his jaw was fractured.

Q. While striking him did Mr. Seward get out of his bed or remain in bed? A. He remained and received the stabs in bed.

Q. Did he, during the struggle, roll from the bed or remain in bed? A. He rolled out after we had left the bed; when I came back I found he was lying on the floor.

Q. You say this man, during the whole of this bloody work, made no remark at all—that he said nothing? A. I did not hear him make any remark.

Q. When he came out of the room, had Frederick Seward risen from the floor or was he still lying? A. I did not see Mr. Frederick around at all.

Q. Where was he when this man came out? A. The first I saw of Mr. Frederick he was in the room standing up; he had come inside the door.

Q. You say he knocked you down when he came into the room; what did he strike you with? A. I suppose with a knife; he struck me the last time with his fist; he had his arm around my neck, and let go and struck me.

Q. And did he immediately go down stairs then? A. He did.

Q. Did you see his encounter with Major Seward? A. I did not see that.

Q. After he left, was anything picked up which he had left behind? A. There was a revolver and his hat.

Q. Look at that revolver and see if you recognize it as the one he left? A. I should judge it was; I did not notice this on it (pointing to the rammer).

Q. I understand the Mr. Seward you speak of to be the Secretary of State, and the house you speak of to be in Washington city? A. Yes, sir.

Q. Do you recognize this as the hat that was picked up? A. A light-brown felt slouch hat.

General Wallace requested that the hat produced might be tried on Payne. It was handed to Payne's guard, who placed it on his head, to the evident amusement of Payne himself.

General Wallace—Does it fit loosely?

The Guard—No, it fits tight.

Mr. Doster (Payne's counsel)—It is too small for him, I should say. [Laughter.]

## TESTIMONY OF MAJOR A. H. SEWARD.

Examined by Judge Holt.—Q. State whether you are the son of Wm. H. Seward, Secretary of State. A. I am his son.

Q. Were you or not at his house on the night of the 14th of April last? A. I was.

Q. Will you state whether or not that man, or any one of the prisoners at the bar, made his appearance at that house? A. Yes, I saw that man who has no coat on—(Payne).

Q. State the circumstances attending your meeting with him that evening? A. I retired at about half-past seven on the night of the 14th, with the understanding that I would be called at eleven o'clock to sit up with my father; I very soon fell asleep, and so remained until woke by the screams of my sister; I jumped out of bed and ran into my father's room in my shirt and drawers; the gas in the room had been shut down very low; I saw what appeared to be two men, one trying to hold the other; my first impression was that my father had become delirious, and that the nurse was trying to hold him; I went and took hold of him, but saw at once from his size and strength it was not my father; it then struck me that the nurse had become delirious, and was striking about the room at random; knowing the delicate state of my father's health, I endeavored to shove the person I had hold of to the door, with the intention of putting him out of the room; while I was pushing him he struck me five or six times over the head with whatever he had in his left hand; I supposed it at the time to be a bottle or decanter he had seized from the table; during this time he repeated with intense, but strong voice, "I am mad; I am mad;" on reaching the hall he gave a sudden turn, and breaking away from me disappeared down stairs; while in the hall, in front of the door of my father's room, as I was pushing him out, when he came opposite the light in the hall, it shone on him, and I saw him distinctly; I saw that he was a very large man, dark, straight hair, smooth face, no beard; I noticed the expression of his countenance; I then went into my room, got my pistol, which had to be taken out of the bottom of my carpet-bag; I then ran down to the door, intending to shoot the person if he attempted to return; while standing at the door, the servant boy came back, and said the man rode off on horseback; I then realized, for the first time, that the man was an assassin, who had entered the house for the purpose of murdering my father.

Q. Did you then return to your father's room? A. I suppose it was five minutes before I went back. There was quite a crowd collected at the door; I sent for a doctor, and made arrangements to keep the crowd out. It may not have been more than three minutes.

Q. State whether you examined the number and character of the wounds given your father and brother, Mr. Frederick Seward. A. No, sir; I did not examine them that night; I was hurt very badly myself, I found when I got up stairs again. After my father's wounds had been dressed, and after my own had been handled, I went in and saw my father. He had one very large gash on his right cheek, besides a cut on his neck on the right side, and one under the left ear. I did not examine the wounds of my brother; I did not know that night how badly he was hurt; the next day he was insensible and so remained; it was four or five days before I saw what his injuries were.

Q. What did you then discover? A. There were two wounds about here (pointing to the left side of the head, over the ear). After the pieces of the skull had been taken out, it left the brain bare.

Q. Had he received any stab at all from a knife? A. I never saw anything of the kind during the whole time.

Q. Did the wound indicate that a knife had been used? A. I thought myself it was done with a knife, but the surgeon seemed to think it was done by the hammer of the pistol. It was such a wound as I would have supposed might have been made by a knife.

Q. Did you see a pistol picked up in the house? A. I did not; I know there was one picked up.

Q. Did you see any article of clothing [illegible] a hat.

Q. Would you recognize it? (producing [illegible]) Yes, I am quite certain that is the hat; I [illegible] that after it had been picked up and put [illegible] bureau drawer; it was taken out and shown [illegible] the next day; I did not see it that night.

Q. And you say you supposed it to have [illegible] nurse? A. Yes; I had no idea who the [illegible] until he was out of the house.

Q. You say that you were struck with [illegible] A. The surgeons think it was with a k[illegible] was struck; I supposed at the time that [illegible] with a bottle or decanter; that the nurse [illegible] come delirious, and was striking at random.

Q. Do you feel entirely satisfied that the [illegible] at the bar is the same man? A. I do.

## CROSS-EXAMINED.

By Mr. Doster.—Q. Be good enough [illegible] whether this is the first time you have seen [illegible] soner since he was taken? A. No; I [illegible] him on board the monitor the day after [illegible] taken.

Q. Did you identify him then? A. Yes.

Q. Please state the circumstances? A. [illegible] brought up on the monitor. I took hold [illegible] the same way I did in the room, and looked [illegible] [illegible] proportions, his smooth face, no beard, [illegible] and when he was made to repeat the words [illegible] mad, I am mad," I recognized the same [illegible] varying only in intensity.

## TESTIMONY OF RICHARD C. MORGAN.

Examined by Judge Holt.—Q. State whether or not on the 17th or 18th of April last you were in the service of the Government; and if so, in what capacity? A. I am in the service of the War Department, acting under orders of Colonel [illegible] special commissioner.

Q. State whether on one or both those days you had possession of the house of the prisoner Surratt? A. Yes.

Q. State where that house is? A. No. [illegible] street, city of Washington.

Q. State whether or not you took possession of the house, and what occurred there? A. [illegible] twenty minutes past 11 o'clock on the evening of the 17th of April, in company with other officers, I went to the house of Mrs. Surratt for the purpose of seizing the papers that might be found there, and arresting the inmates of the house. After I had been at the house about ten minutes, and Major Smith, Captain Wermerskirsch, and some other officers had arrested the inmates of the house who were in the parlor, all ready to go out; I had sent an officer for a carriage to take them away, when I heard a knock and a ring at the door at the same time. Captain Wermerskirsch and myself went to the door and opened it, and the prisoner Payne came in; he had a pickaxe in his hand; [illegible] a gray coat, gray vest, black pants, a [illegible] out of the sleeve of a shirt, as I judged [illegible] as he came in I immediately closed the door. He said, "I guess I am mistaken," said I, "whom do you want to see?" he replied, "Mrs. Surratt." I said I, "you are right, walk in;" he took a seat; I said, "what did you come here for this time of night?" he said he came to dig a gutter; that Mrs. Surratt had sent for him; I asked him "when;" he said, "in the morning;" I asked him where he last worked; he said, "sometimes on I (Jay) street." I asked him where he boarded. He said he had no boarding-house; that he was a poor man, and earned his living with the pick. I had the pickaxe in my hand. I asked him "how much do you make a day?" He said "sometimes nothing at all sometimes, sometimes $1, sometimes $1 50." "Have you any money?" "Not a cent." I asked him why he came at that time of night. He said he came to see where it was to be dug, so that he could commence early in the morning. I said, "have you had no previous acquaintance with Mrs. Surratt?" He said "no." I said, "why did she select you for this work?" He said that she knew he was working in that neighborhood; that he was a poor man and she came to him. I asked him how old he was, and he said [illegible] I asked him where he was from; he said from Fauquier county, Va.; previous to this he had taken out an oath of allegiance, handed it to me, and said, "that will show you who I am;" It contained the name of "Lewis Payne, Fauquier county, Va.;" I asked him if he was from the South; he said he was; I asked him when he left there; he said two months ago, in February; I asked him why he left, he said that he had to leave or go into the army, that he preferred to earn his living by the pickaxe; I asked him if he could read; he said "No;" I asked him if he could write, he said he could manage to write his name.

Q. Is that the pickaxe he had on his shoulder (producing pickaxe)? A. I then told him he would have to go to the Provost Marshal's office [illegible] explain; he moved a little at that, but did not answer; the carriage had arrived to take up the women; they were sent off, and Payne was sent away in charge of officers—Major Smith, Captain Wermerskirsch and myself remained to search for papers. We did not leave till three o'clock next morning.

Q. Did Mrs. Surratt leave the house before Payne came in, or afterwards? A. They were preparing to leave and were in the parlor. Mrs. Surratt was directed to get the bonnets and shawls of the others, so that there should be no communication with each other, she did so, and they were just ready to go, and had started to go, when I opened the door, I think they passed out as he came in.

Q. Then she did not see him before she left? A. Yes; she must have seen him as she passed. I heard no conversation in regard to it.

Q. State what papers you found there? A. I found several letters and photographs.

Q. Did you find there photographs of J. Wilkes Booth? A. No. The next morning I was shown a photograph of J. Wilkes Booth, taken from the house, found behind a picture. We found photographs of Jeff. Davis, of Alexander H. Stephens, and of Beauregard. We also found a card with this upon it: "Thus will it ever be with tyrants. Virginia the mighty. Sic semper tyrannis!"

Q. Will you give the name of the man who found the photograph of Booth? A. I think his name is Lieut. Dempsey.

[illegible]

## TESTIMONY OF MAJOR SMITH.

[illegible]

## CROSS-EXAMINED.

[illegible]

## TESTIMONY OF SURGEON GENERAL BARNES.

[illegible]

## TESTIMONY OF THOMAS PRICE.

[illegible]

## CROSS-EXAMINED.

[illegible]

## RE-EXAMINATION OF MR. ROSCH.

[illegible]

## TESTIMONY OF MR. A. CLARK.

[illegible]

## CROSS-EXAMINATION.

[illegible]

## TESTIMONY OF MR. JORDAN.

[illegible]

## CROSS-EXAMINATION.

[illegible]

## TESTIMONY OF MR. MARSH.

[illegible]

## RE-EXAMINATION OF WM. H. WELLS, COLORED.

[illegible]

remove the fetters from the hands of Payne, in order that he might put on both the coats already spoken of in this record. When Payne was unfettered he rose, and there was a hush through the court. Every eye was directed toward him, and mingled expressions of admiration and abhorrence could be distinctly heard—abhorrence at his real or supposed crime, and admiration for his fine physical development. His face, slightly flushed, and his lips curled with an involuntary smile, revealed the dimples in his cheeks to which the colored boy had alluded in his previous testimony. He first put on the coat of Confederate gray, and over it drew the larger cream-colored one. The hat was then handed to him, and he put it on, and, turning toward the young negro, bent his dark blue eyes searchingly upon him. Judge Holt then said to the boy, "Do you recognize him now?" A. "Yes, sir; but he had a white collar on and looked quite nice, and he had one corner of that hat over one eye, turned down like. I tell you, his eyes looked pretty fiery." Here the boy shook his head as he added, "Oh, he knows me well enough." In spite of the solemn importance of the words, the homely positiveness of the boy evoked a laugh, to which Payne himself replied by a renewal of his old smile.

## RE-EXAMINATION OF MR. ROBINSON.

While this witness was being looked for the Judge Advocate General said: "I wish this witness to see the prisoner in his present dress, that he may give his opinion as to whether it is the same man or not."

Having taken the stand Mr. Robinson said: "He is more like the man than he was before; I should think that it is he, but yet I am not sure about it."

Q. You didn't state precisely the hour when this stabbing occurred in your previous examination? A. It was not far from ten o'clock.

Q. Was it before or after? A. I think it might be after.

Q. Do you know whether the pistol which was picked up there was loaded or not? A. It was loaded.

Q. Did you examine it? A. Yes, sir.

Mr. Doster here asked that Mrs. Murray be recalled, to which the court consented, in order that she might have an opportunity of seeing Payne with coat and hat on. It was found, however, that Mrs. Murray had left the court-room, and another witness was called to the stand.

## TESTIMONY OF JACOB RITTERSPACH.

Q. State whether you know Spangler, prisoner at the bar here. A. Yes, sir.

Q. Where did he board? A. Where I did; on the corner of Seventh and G streets.

Q. Who arrested him? A. I don't know, sir.

Q. What is the name of the house? A. It has no name, and there is no number to it.

Q. Who owns it? A. Mr. Ford.

Q. Who lives in the house? A. Mrs. Scott.

Q. Were you present when he was arrested? A. No, sir.

Q. Who occupied the room with him? A. He never slept there; he just took his meals in the house.

Q. Had he no room in the house? A. No, sir.

Q. Did you see the rope that was taken there? A. No, sir; I only know he had a valise there; he used to keep it there, but the detectives came, and asked if he had anything there, and I said no, nothing but the valise.

Q. You knew it was Spangler's? A. Yes, sir.

Q. When did he take it there? A. I don't know.

Q. When did you give it to the detectives? On Monday, the 17th of April.

Q. Ain't you commonly called Jake, about the theatre?

## EXAMINATION OF CAPTAIN WILLIAM WERMERSKIRSCH.

Q. State whether or not on the 14th of April last you were at the house of the prisoner, Mrs. Surratt, in this city. A. No, sir; I was there on the night of the 17th.

Q. Were you present when she and Payne met? A. I was present, sir.

Q. Did you or did you not hear Major Smith address any remark to her, or make any inquiry of her in regard to Payne? A. He asked her if she knew Payne.

Q. Was she in the presence of Payne? A. She saw him.

Q. What did she say? A. She held up her hand in this position, and said, "So help me God, I never saw him before, and I know nothing about him."

Q. Do you recognize Payne there as the man? A. That's he, the man yonder.

Q. And is that lady there Mrs. Surratt? A. I can't see her face, sir.

[Assistant Judge Advocate Bingham then requested that Mrs. Surratt be asked to unveil her face, which had the very natural effect of attracting to it the gaze of every spectator in the room; but, like Payne, she met the glance of the witness unmoved; and, when he replied, "Yes, sir; that's Mrs. Surratt," coolly and slowly replaced her veil before her face.]

## CROSS-EXAMINED.

By Mr. Aiken.—Q. Captain, did you make any search of the premises while there? A. I did, sir.

Q. What did you find? A. I found a number of photographs, papers, bullet-moulds, and some percussion caps.

Q. In which room did you find the percussion caps? A. In Mrs. Surratt's room, on the lower floor; and I also found there the bullet-mould.

Q. Were the [illegible] lying loose about in the room? A. They were [illegible] of the bureau drawers, and the bullet-[illegible] on top of the wardrobe.

Q. Was [illegible] on the first floor? A. It was on the first [illegible]—the back parlor.

Q. What were the photographs you found there? A. There was a number found there; I don't know whose likenesses they were.

Q. Did you find any of Davis or Stephens there, or any of the rebel leaders? A. Yes, but not exactly photographs; they were lithographs—cartes de visite—in the same style as photographs.

Q. Are you aware that dealers expose these for sale throughout the country? A. I have seen them in Baltimore, eighteen months ago, but they were prohibited to be sold, by order of the commanding general, at that time.

Q. Have you not seen photographs of leaders of the rebellion in the hands of persons known to be loyal? A. Not frequently.

Q. Well, did you ever see them? A. Perhaps I did.

Q. Have you ever seen photographs of Booth in the hands of loyal men? A. Only in those who took an interest to have him arrested.

Q. Is it not a common thing for photographs of eminent actors to be exposed for sale? A. I think it is, sir.

Q. Whereabouts were you when Mrs. Surratt made that observation? A. She was standing in the parlor, near the hall door.

Q. What remark did you make to her when you were ready to take her from the house? A. The remark was made by Major Smith, not me. He had sent for a cab, and when he said it was ready to take her away, she requested him to wait while she knelt and prayed a little. She knelt down, but whether she prayed or not I can't say.

Q. How was Payne dressed when he came in? A. He was dressed in a dark coat and pants that seemed to be black; he had a close fitting head-dress, apparently a shirt sleeve or the lower part of a pair of drawers, closely fitting around his head and hanging down on the side six or seven inches.

Q. Is that the article? A. It looks very much like it. He was full of mud to his knees.

Q. Do you think you could recognize the coat he had on if you should see it now? A. Yes.

Q. Do you recognize it now—is that the coat? A. I think it was longer and darker.

Payne's hat was then placed upon his head and his overcoat removed, and the witness said: "That's the coat, and that's the way he had the head-dress on."

Q. Are you sure you recognize the man? A. Yes, that's the man.

Q. Do you think if you should see a person dressed in genteel black clothes, with a white cravat about his neck, looking like a Baptist minister, and then see him three weeks afterward, that, covered with a shirt-sleeve on his head, and his pants thrust into his boots, you would recognize him as the same? A. I declare I don't know how Baptist ministers do look.

Q. What is your religious persuasion and belief? A. I was brought up a Catholic.

Q. And you think you would recognize a person in such a change of garb, in a dim gaslight? A. If I were asked to look at him and identify him, I think I would; the prisoner has taken no particular pains to disguise himself; his face looked as it is now, and I would recognize him if he put on another coat and covered himself with mud.

Q. Was there no other remark made to you by Mrs. Surratt, with reference to Payne? No, sir; even the one mentioned was not made to me.

Q. Did you see anything of a black bag there? A. Yes, sir; I've seen it; it was not opened in my presence, we had no means of opening it, and it was sent to the provost marshal's office, to be opened there.

Q. Of your own knowledge, do you know of anything that was in it? A. No, sir.

By Judge Holt.—Q. You found the bullet-moulds on the top of the wardrobe in Mrs. Surratt's room? A. Yes, sir.

Q. When Mrs. Surratt looked at Payne was there light enough for her to see him? A. Where he stood, that place was not only lighted by the hall light, but also by the light emanating from the parlor.

By Mr. Aiken.—Q. Have you ever had any percussion caps in your possession? A. Yes, sir; I have.

Q. Have you ever had any bullet-moulds? A. I don't think I ever had.

Q. Isn't it a common thing for people to have them in these times? A. I don't know.

## TESTIMONY OF LIEUTENANT JOHN W. DEMPSEY.

Q. Did you ever see this picture before?

The picture was a colored miniature representation of three female figures, generally styled, "spring, summer, and autumn."

A. I saw that picture in the house of Mrs. Surratt, in the back parlor.

Q. Did you examine it? A. I did.

Q. What did you find underneath, between the picture and the back? A. A likeness of J. Wilkes Booth—a side-face view.

Q. Is that it? A. That's the same face; but the picture I found here was a side view.

[Objected to; objection not sustained.]

## CROSS-EXAMINATION.

By Mr. Aiken.—Q. Have you been in the habit of seeing pictures of Booth or of the leaders of the rebellion exposed? A. I was a prisoner in the South fifteen months, and saw many of the leaders of the rebellion personally and in pictures.

Q. I mean in the loyal States? A. Very few, sir, except in newspapers.

Q. In loyal newspapers? A. Once, I think, a picture of Davis as former Secretary of War, in one of the Sunday papers in New York.

Q. Have you not seen pictures of eminent actors exposed for sale? A. I am not a theatrical character, and can't say that I have—never noticed it—but I have seen pictures of Forrest and Macready.

## RE-EXAMINATION OF MR. WEICHMAN.

Q. Look at the prisoner, Payne, and state whether you ever saw him dressed with that coat before. A. Yes, sir, when he last came to the house.

Q. When he remained three days? A. Yes, sir.

Q. State whether you ever saw that vest before. A. Yes, sir. He also had on a pair of boots.

Q. State whether he wore a white cravat or not? A. He wore a black cravat.

Q. Did you ever know him to wear a white cravat? A. No; I never did.

## CROSS-EXAMINATION.

By Mr. Doster.—Q. All this happened when you were giving information to the War Department, and on intimate terms with Mrs. Surratt and her family? A. I was on intimate terms for a time; it was on this occasion that Payne went to the theatre with Surratt, to see the play of "Jane Shore;" I indicated my suspicions to Gleason at the time, and the very morning after that the horseback ride took place.

Q. I am asking you to fix the date, that's all. A. It was about the 14th of March. He came to the house on the evening of the 13th and remained there the 14th, 15th, and 16th. On the 16th he went to the theatre. It was when Forrest played there four nights in that week.

By Mr. Cox.—Q. So you fix the 16th as the date of that horseback ride. A. Yes, sir; to the best of my recollection.

## TESTIMONY OF COL. H. H. WELLES.

Q. State to the court, if you please, whether you had Payne in your custody on the 17th of April. A. Yes, sir; on the night and morning.

Q. State whether he was dressed in the coat that he now has on. A. Yes, that coat and black pants and a small cap.

Q. State whether you took his clothes off? A. Yes; I took his coat, pants, vest, and all off of him on board the monitor.

Q. State whether he had a white shirt on? A. Yes, sir, and an undershirt below the sleeve. There is a very distinct mark by which they can be recognized. When I described to him his struggle with Mr. Seward I said I should find the blood here, and I found it on the coat sleeve, and also on the shirt sleeve.

Q. The white shirt? A. Yes, sir.

[Here the witness took the shirt, and said, "there it is," pointing to the blood stain.] I called his attention to it, and he said, "what do you say now?" and he leaned against the side of the boat, and said nothing; I also took from him the boots that have been shown in court, and asked him where he got them; he said, in Baltimore, and that he had worn them three months; called his attention to the falsehood apparent there from their being so little worn, and sent them to the Treasury Department to see if it was possible to ascertain what the time was.

## CROSS-EXAMINATION.

By Mr. Doster.—Q. You saw the blood on the coat? A. Yes; on the sleeve.

Q. On the outside? A. No; on the inside; on the lining of the left arm.

Q. Did you threaten the prisoner at any time? A. No, sir.

Q. Did you not tell him he was a liar? A. I think I did; I told him several times; I called his attention to the blood on the coat, and asked him how the blood came there, and he said he didn't know how it came there.

Q. How did you know it was blood? A. Because I saw it.

## TESTIMONY OF MRS. BLICE (COLORED).

Q. State where you live. A. At Bryantown.

Q. Do you know Dr. Mudd? A. Yes, sir.

Q. How far does he live from Bryantown? A. Four miles.

Q. State whether or not, on the day after the President was murdered, you saw him riding into Bryantown. A. Yes, sir.

Q. At what hour? A. It was in the evening, on a dark, foggy day. I couldn't see the sun; it might be later than three or four o'clock.

Q. Was he alone? A. There was a gentleman with him when he passed; they were on horseback.

Q. How far from town do you live? A. Not more than half a mile; they went past my place.

Q. How long before Dr. Mudd returned? A. In a short time.

Q. How long after that before you went into town yourself? A. Not more than eight or ten minutes.

Q. Did you find any soldiers? A. Yes, sir.

Q. Did you hear the murder of the President spoken of then? A. Yes, sir.

Q. When the Doctor came back, was the other man with him? A. No, sir.

Q. Did you hear then who shot the President? A. No, sir, I did not; I only heard he was shot from persons talking.

## CROSS-EXAMINATION.

By Mr. Stone.—Q. If he had come back the same road with Dr. Mudd, would you not have seen him? A. I was not there all the time.

Q. How long did Dr. Mudd stay in town? A. I don't think he stayed more than a quarter of an hour.

Q. Can you tell whether the man with Dr. Mudd was an old man or a young man? A. I could not.

Q. What sort of a horse had he? A. He appeared to be a bay horse.

Q. Had soldiers been passing about there that day? A. Didn't see any till I went down town.

Q. If a man had returned from town, he would have had to pass by your house? A. Yes, sir, or go through Bryantown.

By the Judge Advocate General.—Q. Did the Doctor return before you came back? A. He had passed my house before I started.

## TESTIMONY OF MRS. DRISCOLL (COLORED.)

Q. How far do you live from Bryantown? A. I don't know exactly—a very little distance; I reckon about a quarter of a mile.

Q. Do you know Dr. Mudd? A. Yes, sir.

Q. State whether, on the Saturday after the assassination, you saw Dr. Mudd riding to town. A. Yes, sir; it was about three o'clock, there was another gentleman with him, who rode on the other side of the Doctor, I couldn't tell whether he was old or young, and Dr. Mudd rode on.

Q. Where did the gentleman go? A. He went into the swamp, and stayed there.

Q. Did he stay there till the Doctor came back? A. Yes, sir.

Q. How long was the Doctor gone? A. Very little time.

Q. How far is the bridge from town? A. Not very far; it is nearer than my house is to the town.

Q. Did you go into town that day, and if so, how long after? A. In a very little while.

Q. Did you then hear of the President's murder? A. I never heard of it till I got into town.

Q. Did you ever hear any one say who killed him? A. Not for two or three days after; then I heard that it was a man named Booth killed him.

## CROSS-EXAMINATION.

By Mr. Stone.—Q. Did you live at McPherson's? A. Yes, sir, I was standing at the kitchen door there, when I saw him pass.

Q. Are there no woods between McPherson's and the bridge? A. No, sir.

Q. When you spoke of the man staying in the swamp, you didn't mean Syke's swamp; only the little run beyond the house? A. Yes, sir.

Q. How long was it after that you went to town? A. Very little while.

Q. Did Dr. Mudd come back before you started? A. Yes, sir.

Q. What was the man doing in the swamp or little run? A. Nothing; only staying there.

Q. Could you tell whether it was an old man or a young man? A. No, sir.

Q. How many soldiers did you see pass there that day? A. I didn't see any pass. They were in Bryantown.

Q. Can you see into Bryantown from the bridge? A. Yes, sir, indeed—you can see it from McPherson's house.

The Court adjourned until 11 o'clock to-morrow.

## SATURDAY, MAY 20.

The court met pursuant to adjournment. The record being read, the reception of testimony commenced with the examination of Assistant Secretary Dana. The secret cipher of "the Confederacy" and that of Booth were produced, and their identity established. The movements of one J. Thompson, former Secretary of the Interior, and late rebel incendiary, and assassin, were inquired into, and other testimony taken, after which the court went into secret session.

## EXAMINATION OF ASSISTANT SECRETARY C. H. DANA.

Q. State to the court what position you occupy to the Government? A. I am Assistant Secretary of War.

Q. Look at the instrument before you, and state if you have ever seen it before? A. I took it out of the office of Mr. Benjamin, rebel Secretary of State, in Richmond. I arrived in Richmond on Wednesday, the 6th, and went into his office, where this was found, and brought it away with me, or rather I sent it to Major Eckert, of the War Department. I saw it was the key to an official cipher. There were many papers and things lying around there, and as this seemed to be interesting I took it away.

Q. Did you find it in a trunk? A. No, sir; Benjamin's office consisted of a series of three or four rooms—I think four—Benjamin's personal office being the innermost of all. This was in the room next to his, that occupied by his confidential secretary or assistant. Most of the articles had been taken away. The record had been taken away, but I found several interesting documents, and this among them.

By the Court.—I should like to know the object of the instrument. A. It is a key to a cipher, by which certain letters of the alphabet can be used for other letters, and by using these pointers such a cipher can be translated, or plain writing be turned into the cipher by interpretation.

This cipher is one of the oldest of modern military ciphers, being similar to that used by French officers under the first Empire. It was that used by General Davoust in the Prussian campaign of 1806, and during the movements of his corps around Auerstadt he communicated with Napoleon during his advance over the Landgraffenburg by means of a similar cipher. The cipher was finally abandoned by the French War Department on account of its easy detection. It consists of a cylinder covered with the letters of the alphabet. Over this cylinder are two sliding points, which can be placed over any given letter on the cylinder. As there are two alphabets on the cylinder, it is easily seen how new powers can be given to any of the letters constituting the alphabet, and yet be perfectly intelligible from the key afforded by the stationary pointer. It is on this principle that the well-known toy-book called the "Oraculum, or Napoleon's Book of Fate," is partially constructed; and the double-card cipher, so much affected in the early days of the rebellion by John C. Fremont, was nothing more than an application of this cylindrical principle to a flat surface.

## TESTIMONY OF MAJOR ECKERT.

Q. Look at that cipher, and state whether it was found in the trunk of J. Wilkes Booth. Compare it with this other cipher, of which Assistant Secretary Dana has just spoken, and state whether or not they are the same? A. They are the same, sir.

Q. You are somewhat familiar, are you not, with these things? A. Yes, sir.

Q. You have no doubt as to their being the same? A. None at all, sir.

Q. State whether or not cipher despatches have from time to time fallen into the hands of the War Department, and been referred to you for examination? A. They have, sir.

Q. State whether they were the same cipher as this? A. Some of them were, sir. They were worked on the same principle.

Q. I speak now of the despatches of the 13th and 19th of October last, have you them in your possession? A. I have, sir.

Q. Those are the translations? A. Yes, sir.

Q. Have you the originals? A. No, sir; I have copies.

Q. State whether they are written in the same cipher of which you have spoken? A. I think they are. They may be different in the key-word, but the principle is the same.

Q. Have you translated them? A. The clerks have.

Q. Were they worked out without any knowledge of this instrument at this time? A. Yes, sir.

Q. Are these translations of those despatches? A. Yes, sir.

The following were then read.

October 13.

We again urge the immense necessity of our gaining immediate advantages. Strain every nerve for victory.

We now look upon the re-election of Lincoln in November as almost certain, and we need to whip his hirelings to prevent it; besides with Lincoln re-elected, and his armies victorious, we need not hope even for recognition, much less the help mentioned in our last. Holcombe will explain this. Those figures of the Yankee armies are correct to a unit. Our friends shall be immediately set to work as you direct.

October 19, 1864.

Your letter of the 13th instant is at hand. There is yet time enough to colonize many voters before November. A blow will shortly be stricken here. It is not quite time. General Longstreet is to attack Sheridan without delay, and then move North as far as practicable toward unprotected points.

This will be made instead of movement before mentioned.

We will endeavor to assist the Republicans in collecting their ballots. Be watchful, and assist him.

Q. State whether the original was sent to its address. A. Yes, sir.

Q. From what direction did the cipher of the 13th come? A. It came from Canada and went to Richmond.

Q. From what direction did the cipher of the 19th come? A. It came from Richmond and went to Canada.

## TESTIMONY OF GEN. HAMILTON.

Q. State whether you are familiar with the handwriting of W. S. Oldham. A. Yes, sir; as familiar as I am with that of any man living.

Q. State whether that is in his handwriting or not? A. Yes, sir.

The letter published in the record of The Chronicle of Friday, and endorsed by Jefferson Davis, was the one whose writing was thus identified by the witness.

Q. State whether or not, at the time of writing it, he was a member of the Senate of the so-called Confederate States from Texas. A. I was present when he was elected by the rebel Legislature of Texas to a seat in the Senate of the so-called Confederacy. Since then I know it as matter of public history. I have seen many speeches, resolutions, and bills introduced by him in that Senate, published in the public prints.

Q. You are a citizen of Texas, formerly a member of Congress from there. A. Yes, sir.

Q. Do you know the M'Cullough mentioned in that letter? A. No, sir.

## TESTIMONY OF SURGEON GENERAL BARNES.

Q. State to the court whether or not you made an examination of the body of Booth, after his death. A. Yes, sir.

Q. Describe to the court the scar which is alleged to have been on the neck, and the general appearance of the body. A. On the left side of the neck there was a scar occasioned by an operation performed by Dr. May, for the removal of a tumor. It looked like the scar from a burn, rather than an incision.

Q. How near the ear was it? A. Three inches below the ear.

## TESTIMONY OF FRANK BLOYCE.

Q. Where do you live? A. In Charles county.

Q. In town or country? A. In the country, sir.

Q. How far from Bryantown? A. About half a mile.

Q. Were you there on the Saturday after the murder of the President? A. I was there Saturday evening, about four o'clock; as near as I can come at the time, it was between three and four.

Q. Did you see Dr. Mudd there? A. Yes, sir.

Q. What time do you think that was? A. Between 3 and 4, sir.

Q. Where did you see him? A. He came into a store while I was there.

Q. State whether the soldiers had arrived from Washington then. A. I don't know, sir, whether they had or not.

Q. Were you around about the town? A. I was in the store when he came in. I didn't take much notice.

Q. What time did you leave the store? A. About just before night.

Q. When did he start? A. I didn't see him when he started. I didn't take much notice of him.

By the Court.—Was the report of the President's assassination in Bryantown at that time? A. I don't know, sir.

Q. Did you hear it? A. No, sir; I didn't hear it till the roads were guarded; that was a little before night.

Q. You heard it before you left Bryantown? A. Oh yes, sir.

## TESTIMONY OF J. H. WARD.

Q. State where you live? A. Near Bryantown, Charles county.

Q. State whether you were there on the afternoon of the day following the murder of the President? A. I was. I live on the suburbs of the village; I went so soon as I finished my dinner, and arrived there about 1 o'clock. So soon as I arrived I observed the military were in town, with Lieutenant Dana, and perceived a great excitement, not only with the military, but with the people, and I imagined they were going to search the houses, and, as my wife was alone, I went home, lest she should be alarmed. A nigger came soon afterwards and said—

[Objection.]

Witness.—I must explain the facts, because I know but little; I left him, and went to the village; Lieutenant Dana had put the village under martial law, and the people were excited about getting him.

Q. Did you see Dr. Mudd? A. I can't say; the excitement was so great I can't say I saw the doctor.

Q. What is your opinion, to the best of your recollection, about your having seen Dr. Mudd? A. I would not like to swear positively, but it occurs to me, from faint memory, that he was there; the excitement has been so great ever since that time that I can't say positively.

Q. You say the military were there, and the people much excited, and that you returned home; how long did you remain at home? A. About three quarters of an hour.

Q. Did you then hear of the assassination of the President? A. Yes, sir.

Q. Did you hear who the assassin was? A. Yes, sir—Booth; some gave him the name of Boos.

Q. Did you hear it everywhere spoken of? A. Yes, sir; at Bryantown I did.

Q. What time do you suppose you heard it? A. It was, I think, between one and two o'clock; it was a cloudy day, and I never paid any particular attention, but I think it was between one and two o'clock.

Q. What time did you leave Bryantown? A. I could not give you the precise time. It was between two and three o'clock that I left the second time. It was then I found the military, and in a few minutes they told me the President had been assassinated, and I came back.

Q. You said some said it was Booth and some said it was Boos. A. That was spoken by some soldiers with whom the English language was not conversant. They would call him Booth, Booths, and Boos. Those who could speak audible said it was Booth; those who had an amalgamation of the languages said it was Boos.

Q. Where were you when you first heard that the President was assassinated? A. At home. I wanted to tell you it was through the authority of the darkey.

Who was the darkey? A. Charles Boyce, the brother of the fellow whose testimony has just been taken.

Did you ask him who assassinated the President? A. I have no knowledge of asking him, and I think he never told me.

In what direction from the centre of the town do you live? A. I live in the eastern direction, principally in the suburbs.

On the road between Bryantown and Dr. Mudd's? A. I live close to the road leading to Bryantown.

My question is: Do you live near or on the road between Bryantown and Dr. Mudd's? A. No, sir.

Is it your impression that you saw Dr. Mudd in the town. A. My impression is if it be Dr. Mudd that I saw, I saw him get on his horse; but I cannot swear it was Dr. Mudd.

Did you see the face of this person? A. No, sir; not that I know of; but I could tell him by a side or a back view.

How close were you to him? A. About ten or twelve yards, standing on the porch of the store.

You are only able to swear to a faint impression? A. Yes, sir.

What was the color of the horse this man was going to? A. I don't know.

Do you know the horse Dr. Mudd usually rides? A. I have seen him on a great many horses, and there was a great many horses connected there; I have seen him ride a bay horse.

Did you see Dr. Mudd when you first went into town? A. I think not.

Was it immediately on your arrival the second time? A. Yes, sir.

Were you personally acquainted with Dr. Mudd? A. I have been for two years and five months. Before that I had no personal acquaintance with him.

## TESTIMONY OF LIEUTENANT DANA.

State whether or not on the day following the President's assassination you were in pursuit of the assassins at Bryantown? A. Yes, sir.

State what hour you arrived there on that day? A. I sent an advance guard of four men. They arrived there twenty minutes or half an hour before I did. I arrived there very near one o'clock that afternoon—Saturday afternoon.

State whether on your arrival the news of the assassination was spread all around there. A. Yes, sir.

Was there any person mentioned as the assassin? Was J. Wilkes Booth? A. Yes, sir; and some of the citizens asked me if I knew for certain that it was he. As early as a quarter past one o'clock it was known that the President was assassinated and who the assassin was.

Are you acquainted at all with the prisoner at the bar, Dr. Mudd. A. No, sir.

Have you any knowledge whether you met him on that occasion? A. No, sir.

## TESTIMONY OF ROBERT NELSON, (COLORED.)

Do you live in Washington? A. Yes, sir, I did live in Virginia.

Look at that knife, and state whether you found it in the street, and if so, when and where. A. It looks like the one I found opposite to Secretary Seward's.

When did you find it there? A. The Saturday morning after the Secretary was stabbed.

Did you find it on the pavement, or in the middle of the street? A. In the middle of the street.

Whom did you give it to? A. Dr. Wilson.

## CROSS-EXAMINATION.

You say it was the same one? A. I said it was one like it.

It was not in a sheath? A. No, it was not in a sheath at all.

Was it in the street or in the gutter? A. It was in the middle of the street.

Right in front of the door? A. Yes, sir.

What time of day was it? A. Early in the morning; I was going to market; it was between five and six in the morning, I think.

## TESTIMONY OF DR. WILSON.

Doctor, look at that knife, and state whether or not it is a knife you received from any one? A. This is a knife I received from the colored boy just come from the stand, on Saturday, about 10 o'clock in the day.

On the 15th of April? A. Yes, sir.

Where did he give it to you? A. In the library of Mr. Seward—in the Seward library; he brought it in the door, and handed it to me.

## TESTIMONY OF COL. J. B. STEWART.

State to the court whether or not you were at Ford's Theatre on the night of the assassination? A. Yes, sir, I was.

Did you see the assassin jump from the box? A. I did. At about half past ten o'clock I was sitting in the front chair near the orchestra, on the right hand side. There are two aisles to the orchestra, and my side was on the corner on the left hand, right under and bringing me immediately next to the music stand. At the report of the pistol I was startled. I was speaking to my sister, my head being turned to the left. I glanced back to the stage; an exclamation was made, and a man leaped from the President's box, lighting on the stage. He came down with his back slightly toward the audience; but as he was rising his face came full in view; I rose and attempted to leap on the stage; I made two or three steps on the railing to the right, after alighting from where I sat, and keeping my attention to the man who was crossing the stage, and who had jumped from the President's box; when I reached the stage, on looking to the left, I perceived he had disappeared around the left hand egress; I exclaimed, "stop that man," and then went past the length of the stage, and, turning to the right, was at a distance of twenty feet from the door; but the door was slammed too; I ran, and got to the door very quick, but, on coming to the door, I swung it the wrong way; but I remedied that and passed out; as I approached the door, after I had last said "stop that man," some one said, "he has got on a horse." I heard the tramping of a horse. When I got out the door I perceived a man mounting a horse; he was, at that instant, barely mounted. The moon was just beginning to rise, and I could see him better; the horse was moving, as if prematurely spurred in mounting. I ran in the direction to which the horse was heading, at about eight or ten feet from the head of the horse, and the rider brought him around to the right again; the horse's feet were rattling violently against the stones. I crossed in the same direction, and was now on the right hand side of the horse, but he was gaining on me. When about two-thirds of the way out of the alley he brought the horse forward, and swept to the left up F street. I commanded him to stop; it all occupied but two seconds.

You found the door closed; did you see anybody standing about the door? A. I did.

One or more persons? A. I passed several in the passage, one or two men, perhaps five persons altogether; but near the door, on the right hand side, I passed a person standing, who seemed in the act of turning; I was noticing everything, my mind is impressed with all that occurred, and I saw a person who didn't seem to be moving about.

Look at the prisoners, and see if you recognize the man? A. I see but one face that would recall him to my mind.

Which one? A. That one.

By the Court.—Stand up, Spangler.

Witness.—That one looks more like the man than any other there.

Describe his appearance?

[Mr. Stewart here placed himself in an attitude in order to show to the court the position in which he had seen the man, which was a three-fourths view.]

Witness.—I didn't observe so far as to have a clear impression of his visage. He was turning from the door toward me.

## CROSS-EXAMINATION.

Was it the passage-way between the scene and the green-room, about two and a half feet in width, through which Booth ran? A. I don't know where the green-room is. I never was there; but, if I had a plan of the building, I could point.

[Assistant Judge Advocate Burnett then handed to Mr. Stewart a plan of the theatre, by which he explained the route taken by Booth, and by himself, and on which he marked the exact spot where he had seen the man alluded to in the latter part of his examination-in-chief.]

When you got out of the door the person was just rising into his saddle? A. He was in his saddle, leaning forward; his left foot apparently was in the stirrup; he was leaning to the left; his horse was leaving the walk in a sort of hollow making apparently a circle; he was sufficiently mounted to go with the horse without being unbalanced. He was getting the horse under control for a forward movement.

You could not say, then, that he had just got into the saddle? A. He was balancing himself in the saddle. I would form an opinion from his position and the motion of the horse, that the moment he got his foot into one stirrup he started the horse, who having the rein drawn more on one side than the other, did not at once make a straightforward movement.

By Judge Holt.—I understand you to say that all the persons you met in the passage as you approached exhibited great excitement, except this particular man? A. Every person that came under my notice in the brief space of two or three seconds, as I ran through the stage toward the door, were greatly agitated, and seemed literally bewildered, except the person near the door, who did not seem to be under the same state of excitement.

By Mr. Ewing.—How long did it take you, after entering that passage, to get to the door? A. I can hardly time myself; I was running as hard as I could, and was only obstructed by passing these persons; it seemed to me about as quick as you would count 1, 2, 3, 4, 5, from the report of the pistol until I reached the door; I know the discharge of the pistol was either by accident or design, and that it was by design was solved by the man jumping on the stage; my impression was, when he came from the President's box, that the President had been assassinated; I was so much under that impression, that, though I had not heard a word after the person on the horse had gone off, I informed the people in the alley there, that the person who went off on that horse had shot the President.

You say you saw only the profile of this person in the passage. A. The profile and full face as he passed round.

By Judge Holt.—Did you recognize Booth when you saw him on the stage? A. Oh, yes; after I went out I returned and took my family home, and immediately ran down street toward the house of Secretary Stanton, but finding persons had been there, I turned and went rapidly back to the police station; found Captain Richards, Superintendent of Police; gave him my name and what information I had, and said to him I thought I knew who it was. I had known Booth before by sight. Some two years before, I was introduced to him one evening at the Metropolitan Hotel; then I had seen him on the stage, but I noticed him more during the past winter at the hotel. I was two evenings with some ladies at a hop at the National Hotel, and I noticed this gentleman leisurely about the parlor. Every person except the one I have mentioned seemed to be perfectly bewildered; I felt very much vexed at his getting away.

By the Court.—How long after you heard the door slam, until you saw this man balancing himself in the saddle? A. Not more than while I was making two steps.

Are you satisfied that the door was closed by some other person than the one that went out at the door? A. I could not possibly be satisfied of that, there was nothing to preclude the possibility that the door was closed by Booth himself.

Are you satisfied that the person you saw inside the door was in a position, had he been so disposed, to have interrupted the exit of Booth? A. Beyond a doubt he was.

And from his manner he was cool enough to have done it? A. He showed no agitation like the other people did.

By Mr. Ewing.—Were not the other persons you have spoken of also in a position to have interrupted the exit of Booth? A. Oh, yes, at least at the moment I saw them; every person I met could have obstructed my motion, except one person who was three, four, or five feet off to the right; that was the person I described who seemed to be passing off.

Then the person you speak of nearest the door was in no better position to have obstructed the passage of Booth than any of the others, so far as you know? A. None whatever.

By the Court.—Could this man nearest the door have opened it and gone out before you went out? A. Yes; the door was immediately within the control of the person who stood there.

By Mr. Ewing.—Do you know whether any person on the stage or in the passage as you went out knew that the assault had been committed? A. I cannot say that. They acted very like people astonished at something that had just occurred.

## TESTIMONY OF ROBT. A. CAMPBELL.

By Judge Holt.—State where you reside. A. In Montreal, Canada.

Are you, or not, connected with the Ontario Bank of that city? A. I am first teller.

Look upon that account and state whether or not it is a correct abstract from the books of that bank? A. It is; I examined it before I came away.

What is it? A. It is the account of Jacob Thompson with the Ontario Bank of Montreal.

State on what day the account commenced? A. The account commenced May 30, 1864; prior to that, however, he left sterling exchange, drawn on the rebel agents at Liverpool or London, for collection. As soon as our agents advised us of the bills being paid, the proceeds were placed to his credit. The first advices we had was May 30, and £2,000 sterling was the amount.

State when the account closed? A. The account closed April 11, 1865.

State the aggregate amount of credit and the aggregate amount drawn? A. The aggregate amount of credit was $649,873 23; there is now a balance due him of about $1,763.

Has he drawn lately to any considerable extent? A. He has drawn $300,000 very nearly since March 1; he bought at one time $100,000 in sterling exchange.

State the amount drawn out between the 1st and 10th of April? A. The first entry in April is on the 4th, a very small check of $100; there is a deposit receipt, under date of 6th of April, of $180,000, which was to be paid when presented; on the 8th of April he purchased £440 sterling exchange, and also £1,000 sterling on the same date; on the 24th of March he purchased $100,000 of sterling exchange.

You know Jacob Thompson personally? A. Yes, I know him.

State whether or not, since the 14th of April last he has left Montreal? A. He has; I heard him say, myself, he was going away, and I know he has not been seen in the bank lately; one of the last transactions was a check given to a hotel keeper, I suppose for board; he said he was going overland by Halifax, *en route* to Europe.

Can you fix the date of that? A. I could not; since then he has disappeared from Montreal.

How long was this before navigation opened? A. I think about two weeks; I know I thought it strange he was going overland when, by waiting two weeks, he could have taken the steamer.

Did you know J. Wilkes Booth, the actor? A. I did; I had one or two transactions with him.

How often did you see him in Canada? A. I could not say; I may have seen him a dozen times; I remember distinctly seeing him there.

Did he have a small account at your bank? A. Yes; he has still to his credit four hundred and odd dollars.

Have you any knowledge how that credit arose? A. It was from a deposit. That did not go through my hand, but through the hands of the other receiving teller. The memorandum says, "check drawn on Merchant's Bank by Davis, $250, and ten twenty dollar bills."

He was known and recognized in the Ontario Bank as the agent of the Confederate States? A. His account was simply with Jacob Thompson; we did not know what it was. By newspaper reports was he the financial agent of the rebels. We knew that he brought Southern sterling exchange bills on their agents in the old country. A part of the time he resided in Upper Canada and a part of the time in Montreal.

Have you known him to be connected with other money transactions with other banks in Canada? A. Oh, yes, I know of one transaction of $50,000 with the Niagara District Bank, at St. Catharines. That was a check drawn to the order of Mr. C. C. Clay and deposited by him with the Niagara District Bank. That bank sent it to us and we put it to our credit. The date of that was August 10, 1864.

Who was Davis, the person referred to as drawing the check? A. He was a broker in Montreal. I am not sure whether he was introduced by Davis or T. C. Martin, from the States somewhere, from Richmond or Baltimore. When Booth came into the bank he purchased a bill of exchange for sixty-one pounds and some odd shillings; he said he was going to run the blockade. He asked whether in case he should be captured his captors could make use of the exchange. I said no, not unless he endorsed the bills. He then said he would take $300 worth, for which I think he paid the American gold. These are the only two transactions he had with us.

Look at these bills (exchange taken from the body of Booth) and see whether they are the ones you refer to. A. They are Ontario Bank bills, there is no doubt about that.

State whether or not these drafts were intended for use in the States, or for general disbursement? A. We can never tell that. We never ask our customers any questions. Checks are generally made "payable to bearer," but in certain instances the "bearer is scored out and "order" put over. Mr. Thompson besides these sterling exchange transactions, has bought from us several times United States currency, (greenbacks.)

In large sums? A. He bought August 25th, $15,000 in greenbacks; July 14th, $10,124; that was the amount in gold. I could not say what the amount was in greenbacks. At that time I think exchange was about 65.

Did any of these transactions occur during the past spring? A. On the 14th of March he bought $1,000 at forty-four three-quarters, for which he paid $553 in gold. He bought several drafts on New York.

The Judge Advocate General stated that there was only one other witness he desired to examine to-day. He was a very important witness, but for the same reasons stated in another instance it was not desirable that his examination should be made public.

The court was thereupon cleared, and the remainder of its deliberations for the day were in secret session.

[For Monday's proceedings, see sixth page.]

## French Testimony to President Lincoln.

The following letter of the Count de Paris, the grandson of Louis Philippe, and the present head of the Orleans family, is another testimony to the character of President Lincoln. It will be remembered that the writer, with his brother, Duke de Chartres, served for a year in the Army of the Potomac, where they were much regarded by their brother officers. In their English exile since, they have kept alive those original sympathies which led them to enlist on our side. The letter is written from Twickenham, in England, and is addressed to Senator Sumner, who regards it as of such general interest that he has consented to its publication:

TWICKENHAM, May 5, 1865.

DEAR SIR: You stood by the death-bed of the good and noble-hearted man who was torn from the love and confidence of a great nation on the fatal night of the 14th of April; you received the last breath of one on whom all the friends of America looked as the worthy representative of her free institutions. You will, therefore, understand that after reading the sad particulars of that terrible tragedy, I should feel anxious to confide to you my deep emotion and my bitter grief. I should not have presumed to add my voice to the unanimous expressions of sympathy offered by Europe to your fellow-citizens, if my personal relations with Mr. Lincoln, which henceforth will remain among the most precious recollections of my youth, had not added something in my eyes to the magnitude of that public calamity. My brother and myself will both always gratefully remember the way in which he admitted us four years ago into the Federal army, the opportunity he then gave us to serve a cause to which we already felt bound by our family traditions, our sympathies as Frenchmen, and our political creed.

Those who saw Mr. Lincoln during that great ordeal when everything seemed to conspire against the salvation of the Republic, will never forget the honest man who, without personal ambition, always supported by a strong perception of his duties, deserved to be called emphatically a great citizen. And when the dreadful crisis during which he presided over the destinies of America will belong to history—when its bloody track will disappear under the rapid growth of an invigorated nation and a regenerated community—people will only remember its beneficial results, the destruction of slavery, the preservation of free institutions, and will ever associate with them the name of Mr. Lincoln. In this struggle with slavery his name will remain illustrious among those of the indefatigable apostles who fought before him and who will achieve his work. But it will also be said of him that he secured the preservation of the Union through a tremendous civil war, without ceasing to respect the authority of the law and the liberty of his fellow-citizens; that in the hour of trial he was the Chief Magistrate of a people who knew how to seek in the fullest use of the broadest liberties the spring of national endurance and energy.

I beg you, sir, to excuse the length of this letter: you know that it is inspired by the feelings of my heart.

Believe me, my dear sir, yours, very truly,

LOUIS PHILIPPE D'ORLEANS.

To Hon. CHARLES SUMNER, Senator U. S.

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DUKE GWIN.—The New Orleans *True Delta* states:

A gentleman who has recently arrived in this city from Havana, informs us that he met ex-Senator Gwin, of California, at that place, and was shown indubitable evidence that Sonora has been ceded to France by Maximilian. Mr. Gwin also showed our informant, whose veracity is beyond question, his patent of nobility, as Duke of the French Province of Sonora, signed by the Emperor of the French, and bearing the seal of France. These facts still further complicate our relations with Mexico.

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THE manufactory of St. Gobain, Aisne, France, has been employed six years in fabricating a lens two feet in thickness, which it has given as a present to the Observatory of Paris for the telescope now being manufactured, the power of which will exceed that of the most powerful instruments known.

# TRIAL OF THE ASSASSINS.

## APPENDIX NO. 1.

[Our desire to present each morning the week of the preceding day, has induced us to defer to this issue the following testimony elicited in secret session on the 13th instant. We could not, from the amount of work, done by compositors by this time, have kept per order to any other way.]

### TESTIMONY OF HENRY VAN NESTRAUKER.

Q. Have you or not for several years been in the military service of the country?

A. I have been in the army.

Q. In what capacity? A. I was employed in the Topographical Department, running or superintending lines, and in the Engineer Department, in the same way. A. The staff of General Halleck with Lincoln.

Q. Were you or not in the State of Virginia in the summer of 1864? A. I was at Petersburg, after the battle of Petersburg, I was employed with another topographer [Colonel Comstock, who was very ill], and I was sent to Washington to get some instruments, and have them sent up to the army. I went to the army again, and was Mott-running, twenty-four hours, and then I was sent back to Washington. I was ordered to report to General Halleck, and I did so immediately, after having ridden a while with General Halleck, and I was sent to Baltimore to purchase land; the name of the man Booth, and the street I do not remember.

Q. Is it within the knowledge of any officer of the army to remember the features or appearance of Booth? A. I have seen Booth, I think, on the street a good deal; I have seen him frequently. There is a resemblance, but the face was fuller.

Q. You have seen the young photograph of Booth, fuller than that? A. Yes, sir.

Q. Is it not a fact at this time that it was John Wilkes Booth, the actor, and not Lloyd, the Washington gentleman sold him Booth. I thought Booth was Lloyd, and I was surprised when I found that Booth was Booth.

Q. How far did you ride with Booth? A. I rode with Booth, I should say, about a mile and a half, and left him with Booth and Lloyd.

Q. Where do you live together? How many house do you suppose? A. Eighteen or twenty houses.

Q. Did you ever see Booth and Lloyd in any way to point to public stable which you were with him? A. I did not.

Q. Was it ever understood that you could be used in any contemplated purpose of stealing upon the Presidency of the United States? A. Never to be sold. A. Then asked by Booth, and by Booth's direction, I went to Lloyd's house, and I found Lloyd at the door, and I told them, after they had such a chance as to take that get from Canterbury, and I told them that I was sent by Booth, and I had not. What I said to Lloyd was that I was sent that night the Confederacy and gain their freedom from Canterbury, and I told them that I was sent by Booth, the Confederacy will protect them in the Confederacy, and I left them with the impression on the mind.

Q. What did you mean by the word Confederacy, "We must go up the road," from all that Booth had told you? A. I meant that I was to go with them to the Confederacy, and I left them.

Q. Did he state under what circumstances they were to go to the Confederacy? A. He told me that the Government would protect them, that was the impression they were to go to the Confederacy.

Q. Did they seem to be upon terms of intimacy? A. They were.

Q. Did you ever see Booth and Lloyd together before soldier? A. Yes, sir. They stood, when they came to the door, they stood in the door-way, and they remained there a considerable time. I should say that I was with them about half an hour. I left them at the door-yard. Booth then left together with one of the men, and I left with the other man, and I went to my home. I had no intention of going to see Booth, but Booth came to me, and told me to go to Lloyd's house, and I went to Lloyd's house, and I left them at the door.

Q. At what point did you arrive together? A. I arrived with Booth at the house of Lloyd, at the door of the front door.

Q. Did you meet there a number of Confederate soldiers? A. I met there a man that I supposed was a Confederate soldier. I met there a man that I supposed was a Confederate soldier. They went from me the next day. I met there a man that I met with the other house; they were evidently leaving. I met there a man that I met with the other house. I met there a man that I met with the other house. I was called to come at the fortieth range and four hundred and fifty-seven feet. I met there a man that I met with the other house. I met there a man that I met with the other house. I met there a man that I met with the other house

# THE WELCOME.

## ARMY OF THE POTOMAC.

## 75,000 MEN REVIEWED.

## GRANT, SHERMAN, MEADE.

### THE NINTH, FIFTH, AND SECOND CORPS.

**CHARACTER OF THE RECEPTION.**

On the 23d inst. seventy-five thousand men, members of the Army of the Potomac, marched past the President of the United States, the Secretary of War, the Lieutenant General, and Major General W. T. Sherman. To see these returning soldiers, men from every State in the Union were assembled at the Capital here. From one extremity to the other, Pennsylvania avenue was lined on both sides with a forest of faces. As early as eight o'clock, family groups were selecting and securing positions on the steps of the Treasury building, on stoops of houses, on roofs, on balconies, at windows, on stationary carts, on everything that could raise them to an easy view of the coming military panorama. The cook left her kitchen, the mistress her boudoir, the student his book, and the lawyer his brief; the anvil was silent, and the hum of trade was stilled. The army was to be seen, and to be welcomed; and beside that naught else was thought worth attending to.

The preparations to receive the army, however, compared with the desire to see it, and to the welcome its merits and deeds entitled it to expect, seemed like the flip of a potatoe pop-gun compared to the salute of a park of artillery. Yet never was army welcomed like this one. No Consular triumph, no *retour d' Austerlitz*, no final review of the great Czar's, ever equalled in splendor the ovation offered to the Army of the Potomac. It came to us in its every-day garb. It was not pipe-clayed nor holystoned. As it was at Five Forks so it came to us here. As no meretricious decorations, no pompous banners repeated its struggles and its victories, so no inadequate symbols were prepared to testify the inexpressible gratitude, the boundless pride with which its victorious return was hailed. Through ill-repute and abuse, through mistake and through the disasters of mistake, it sternly fought its way to a completed victory, and if its triumphal return was greeted by hanging crape and testimonies of lingering grief that would have made a joy too demonstrative unseemly, it was a grief it shared itself, and in which, alas! citizen and soldier share in common portion.

But if the eye of the returning hero failed to find a material guerdon for *devoirs* so faithfully done, it did not fail to read in the countless faces that he passed, the admiring gratitude of the heart of the nation. From the President to the boot-black, all assembled to do him honor, and far truer testimony to the greatness of his deeds was the monument of their memory than any the chisel could have carved.

If no hanging draperies bore the names of the fields on which he had bled or left a companion, the ready lip and tongue that spoke the magic word, showed him how deeply and universally it is written on the American heart.

**THE LINE OF MARCH.**

The march was commenced, in point of time, by Burnside's old corps, the 9th, now commanded by Major General Parke. This corps marched across the Long Bridge last night, bivouacking on the vacant site near the Capitol. At about three o'clock this morning the brigade of engineers, and that which under General Macy has formed the provost guard of the Army of the Potomac, also crossed the Long Bridge and waited its time to move, on A street.

The 5th corps, Major General Griffin, crossed the Long Bridge immediately after, and moved eastwardly sufficiently far to countermarch, forming on Pennsylvania avenue, with the head of the column on First street east. The 2d corps, Major General Humphreys, moved at 7 A. M., after the 5th corps, across the river, and formed in column on the streets of the Fifth Ward south of Pennsylvania avenue, prepared to follow the 5th corps on First street east in the procession.

The cavalry which led the march had early formed on Maryland avenue, and, headed by Major General Merritt, started up the Avenue at nine o'clock precisely. Preceding the cavalry of the army of the Potomac was its commander, the hero of Gettysburg, escorted by a squadron of the 1st Massachusetts.

**THE REVIEWING OFFICERS.**

The Reviewing Officers were the Commander-in-Chief of the Army and Navy of the United States, and Lieutenant General Grant. They sat in a pavilion erected in front of the White House, on the south side of the Avenue. This pavilion was beautifully festooned with American and battle-flags and decorated with flowers and evergreens. Immediately over the centre of the pavilion and at each end of the same were large sized stars formed of flowers and evergreens, while the following names of battles, in which many of the troops had participated, were conspicuously displayed from the top of the pavilion: Gettysburg, Donelson, Bentonville, Petersburg, Richmond, Vicksburg, Shiloh, South Mountain, South River, and Wilderness.

From this stand the band of the 16th New York regiment discoursed some fine music. Stand No. 2 was on the north side of the Avenue, immediately opposite the main pavilion. Here the band of the 14th regiment Veteran Reserve Corps was stationed, while the seats were occupied by Governors of States, members of Congress, heads of departments, judges of the United States and their families. This stand was also handsomely decorated with flags.

Stand No. 3, on the east side of the centre pavilion, and No. 4, on the west side, were occupied by officers, members of the press, wounded soldiers, and invited guests. Admirals and commodores of the navy were also assigned seats on these stands.

On the east side of stand No. 2 were a number of stands, which had been erected by the various State Agencies. A number of these stands bore suitable mottoes, among which we noticed particularly: "Connecticut greets all who bravely fought, and weeps for all who fell;" "Massachusetts greets the country's defenders."

On the north side of the Avenue was also a stand devoted to the staff of Major General W. T. Sherman, whence the officers who had preserved the organization of the army that marched from Chattanooga to Atlanta, from Atlanta to Savannah, and from Savannah to Raleigh, might behold the new army of their old commander.

**THE FIRST SOLDIER.**

The first soldier of the Army of the Potomac that passed in review before the President of the United States was George G. Meade, its Major General commanding. He rode past as quiet and self-possessed as if he were at another Gettysburg, saluted, and passed on, followed by a squadron of the 1st Massachusetts cavalry.

**THE CAVALRY OF THE ARMY OF THE POTOMAC.**

The cavalry corps followed, headed by Major General Merritt, escorted by the 5th United States cavalry.

Leading the 3d division of this corps of cavalry rode Major General George A. Custer, on a blooded bay, who curvetted and gamboled, and finally ran away with the General several hundred yards from his command, hatless and swordless, for he had dropped both trying to rein the impatient steed. The young General, as he flew past the stand saluted, and soon returned with his horse well in hand, and, resuming his position, passed quietly on. The incident was quite an exciting one, and as the General's locks flew behind him, and his horsemanship showed off his easy grace, there were not a few inclined to style him the Murat of the corps. The three brigades comprising this division were severally led by Colonels Wells, Capehart, and Pennington.

All the men of this division wore the red Custer tie, and looked young as their dashing leader, and were very fairly mounted, if we consider the service they had been doing.

The 2d division of this corps was commanded by Brevet Major General Henry E. Davies, and consists of but one brigade.

The 1st cavalry division is commanded by Brigadier General Thomas C. Devin, and embraces three brigades, General Gibbs', Colonel Fitzhugh's, and Colonel Staggs'.

The cavalry looks well, as well as any cavalry that ever returned from four years campaigning, and the last one of a years' duration, irrespective of the heats of a Virginia summer or the muds of a Virginia winter.

We do not need to recall the exploits of this cavalry; their deeds are on every page of that army's record, and if the sabre was often useless where the foot soldier alone could find footing for a charge, the opportunities that *were* offered were accepted with an eagerness that would have charmed the knights of Arthur's Table; and as they passed there rose a cheer that attested fully how thoroughly their toils and bravery were appreciated.

The artillery of the corps followed it under the command of James M. Robertson, brevet colonel. It consisted of six batteries from the regular army and the 6th New York Independent Battery. The guns were clean enough to suit even the fastidious taste of a Prussian artillerist, and glistened as gaily as though their only use was to add to the beauty and pomp of holiday parade. Those guns did a little more at Malvern and at Gettysburg.

Next in order came the brigade of the Provost Marshal General of the army, Brigadier General G. N. Macy. This brigade was followed by that of the Engineers, consisting of one battalion of regulars and two of New York volunteers, Brigadier General H. W. Benham commanding. This brigade elicited universal admiration from its steady marching and high soldierly bearing. Two pontoon boats and cut lumber followed them.

**THE NINTH ARMY CORPS.**

The Ninth' Burnside's old corps' What memories of early triumphs, of useless courage, of desperate endeavor, of Spartan endurance, of dread defeat, of victory, cluster round that grand old remnant of a corps. We first saw it yesterday from the stand at the Treasury. It filled the Avenue thence to the Capitol, and as the sun played upon its shoulder-shifted bayonets, it looked a rolling river of steel, upwards of a mile long, glinting and glistening and glittering till the dazzled eye turned tired from its sheen. The corps was commanded by Major General John G. Parke, and now consists of three divisions proper, to which was added Dwight's division of the 19th corps.

The pioneers, with their shovels and picks, and occasional attendant mule and panniers, caused many a smile, and a few of the Mississippi men called out the old Belmont and Columbus joke, "Here's your mule!"

The 1st division of this corps is divided into three brigades, under the several commands of Colonel Sam Harriman, Brevet Colonel Ralph Ely, and Brevet Brigadier General N. B. McLaughlin.

The 2d division, commanded by General S. G. Griffin, contains but two brigades—one, the 1st, commanded by Colonel Sumner Carruth, and the 2d by Colonel Herbert B. Titus.

The 3d division, Brig. Gen. John G. Curtin commanding, also consists of two brigades—that led by Col. A. B. McCalmont, and the second commanded by Col. J. A. Mathews.

"Dwight's division," with himself at its head, passed next—the 1st, 2d, and 3d brigades under Brig. Gens. G. S. Beal, E. P. Davis, and J. D. Fessenden.

Then came the Artillery brigade, commanded by Brig. Gen. J. C. Tidball, consisting of the 34th New York and 7th Maine batteries. The guns were as clean as if from the foundry, the horses sleek and well groomed, and the men neat and fresh, closing up the rear of the 9th corps grandly and appropriately.

**W. T. SHERMAN.**

No sooner had the 9th corps passed than the people left the stands and crowded around the pavilion to look upon the President and upon Generals Grant and Sherman. The latter had left the pavilion, however, and was on stand No. 4, shaking hands with some old friends, and conversing in his quick, nervous manner, his face beaming with delight, and his tall form stooped to address some happy lady, whom he has made proud for life. When other events shall have swept the great Review into history, it will be to her a thing of yesterday, when she tells "how the great General spoke to me the day of the Review."

The great crowd surged backward and forward, calling out—"Grant! Grant!" "Sherman, Sherman!" The Lieutenant General simply bowed, and again the crowd would press forward with an eagerness that would have appeared impolite had it not so evidently been the fruit of admiration and grateful curiosity.

In the midst of their excitement the sounds of "Rally Round the Flag" came upon them, and they scattered to make room for Warren's old corps, the men of Ream's Station, who were coming up, "steadied, and serried, and orderly," Major General Charles Griffin at their head.

**THE FIFTH CORPS.**

It was a glorious old palace that 5th corps were reared in, those ditches along the Weldon road, and it was a sweet lullaby that wooed them to sleep. Muddy ditches in rainy weather, the heavens for a roof and the stars for candles, the chorus of their operas being occasional volleys of erratic musketry, and the "zip" of a Minie ball their soprano solo, with the dull "whirr" of a Whitworth for a basso. They kept that road, however, though Lee said they shouldn't.

This corps consisted of three divisions. The 1st division, commanded by Brigadier General J. H. Chamberlain, contains three brigades, under Brigadier General E. M. Gregory and Colonel J. Cushing Edmonds.

The 2d division, commanded by Brigadier General R. B. Ayres, also consists of three brigades, commanded by Generals C. H. T. Collis, A. W. Denison, and James Gwyn.

Major General S. W. Crawford commands the three brigades that compose the 3d division, the brigades being under Generals H. A. Morrow, Henry Baxter, and Adrian R. Root.

The artillery brigade which brought up the rear of this corps consisted of batteries H, B, and D, of the 1st New York artillery, and of two batteries of the regular army of the United States. This artillery, like all which preceded and followed it, was in unexpectedly fine trim, both men and horses looking more as if entering into a campaign than as if just emerging from one of a year's duration.

**W. S. HANCOCK.**

The crowd gathered around the pavilion after the passage of the 5th corps in even greater numbers than after that of the 9th. They seemed unable to tire of cheering their favorites; but this time the expected coming of the 2d corps drew a great degree of their attention to the fighting man of Spottsylvania. They wanted a speech, and they didn't want one. In truth, all they did want was an excuse to get a close view of the President, and of General Grant, General Sherman, and General Hancock. They kept on vociferating "Hancock, Hancock," till one actually came to expect the original signer of the Declaration would be forced to come and answer for his soldier-namesake. The General, however, merely bowed his head. He turned frequently and lovingly toward the Treasury Department, and it was not difficult to perceive that he was impatiently awaiting to see the friends that had followed him through the early carnage of the last campaign. They appeared at last, Major General A. A. Humphreys at their head.

**THE SECOND CORPS.**

Now this same 2d corps is a very peculiar corps. It is slightly Milesian, in more things than its fondness for fighting. It is a very blunt corps in its ways. It is disciplined highly, and on the field of battle seems better drilled than on the parade ground. It cares little for externals, prefers steel to lead on general principles, and is extremely decided in its likings and dislikings. There are in it the remnants of Meagher's brigade, and of "The Legion." The 69th Pennsylvania is in it, too—"Paddy Owen's regulars," reduced from twelve hundred men to about three companies. There are portions of Sickles' old brigade in it. The 120th New York is there, the 53d New York is there, and take them all together, they are a very distinct portion of the armies of the United States. The rebels used to think so, too. That strip of wall at Fredericksburg, that line of works at Coal Harbor, the hill at Gettysburg, the first and second Manassas, buried far more of them than passed the President yesterday. But what remains of them is still unique, quaint, empty of fear and full of fun. When they reached the pavilion they set up cheer after cheer, and tossed their caps with a little sprig of green in them as if all they saw in the Review was an opportunity to assure the President that they were as glad to see him as he really was to see them, and that they were as ready to-day to go, if he thought fit, into another campaign as they were four years ago, to go "in for the war."

This corps is like the 5th, divided into three divisions, the first commanded by Brigadier General John Ramsey.

The 1st division consists of four brigades, severally commanded by Brigadier General C. D. McDougall, Colonel John Fraser, Colonel S. A. Mulholland, and Colonel Robert Nugent.

The rear of this division was brought up by a fine looking artillery brigade, under command of Lieutenant Colonel J. G. Hazard.

The 2d division, Brevet Major General Francis C. Barlow, contains three brigades, commanded by Colonels Wm. A. Olmstead, J. P. McIvor, and D. Woodall.

The 3d division, commanded by Brevet Major General G. Mott, (son of the great surgeon,) consists of three brigades: 1st, Brigadier General R. De Trobriand; 2d, Brigadier General S. R. Price; 3d, Brigadier General R. McAllister.

**END OF THE FIRST DAY'S REVIEW.**

The President was attended by the Secretary of War, the Secretary of the Navy, Major General Meigs, and Major General Sanford. Around him soon gathered another galaxy of major generals and brigadiers. Major Generals Howard and Bartlett were also in the pavilion; and, as the last of the army passed, the President's turning to leave was the signal for all to rise, and for a crowd to rush around the platform, which made it difficult for those upon it to make their way to their carriages. The President's way was actually only cleared for him by the personal exertions of his secretaries, Messrs. Browning and Mussey, the latter, we noticed, had changed his eagle to a star. But great as was the President's embarrassment, that of General Grant was much greater. The swaying crowd pushed him hither and thither in a most unseemly way, only to be excused by the following remark of an Irishman, "Sure we've seen all the sojers, and now we want to see the big sojer of all." Popularity has its inconveniences as well as its pleasures. The General at last reached his carriage, the huge mass of humanity grew gradually less, and housekeepers went home to make dinner and supper into one and talk of The Great Review of the Army of the Potomac.

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Within a week five Methodist churches have been burnt in New Hampshire and Vermont in the vicinity of Lebanon—one each at Haverhill, Swiftwater, Monroe, Lyman, and one at Newport, Vermont. The Methodists in that vicinity are getting excited, and are watching their churches closely.

# SECOND DAY'S REVIEW.

## ARMIES OF THE WEST.

## MAJOR GEN. W. T. SHERMAN.

## ARMY OF THE TENNESSEE.

## THE ARMY OF GEORGIA.

## GENS. LOGAN AND SLOCUM.

**SHERMAN'S ARMY.**

The second day of the Grand Review created perhaps a greater interest than was evoked by the first. The reason is obvious. The Army of the Potomac has been ever near us. Most of its corps have repeatedly passed through the capital. Its nearness and facility of communication rendered its every move known to the country. There never hung a week's mystery or doubt about it. Now Sherman's army, at least those two corps styled the Army of the Tennessee, that is the 15th and 17th corps, never before set foot in Washington. Down amid the miasmatic marshes of the Mississippi; in the slime of the Yazoo and the Tennessee; fighting battles above rolling clouds; disappearing beyond the ken of the telegraph; now supposed to be victorious, and again a cause of apprehension and doubt; marching unrecorded hundreds and hundreds of miles; supposed to be about Milledgeville or on the road to Macon, when it is compelling the fall of Charleston, seldom authentically heard from save in connection with the news that some new rebel stronghold had surrendered to its General's strategy and its own indomitable energy. "Distance lends enchantment to the view," and mystery magnifies. Both have combined to throw around the wondrous campaigns of this army a hue of romance of which the daily paper and the prosaic correspondent deprived the Army of the Potomac. The marches it has made, the victories it has won, the difficulties it has surmounted have perhaps never been equalled by any army since the days of Xenophon's Anabasis.

That such an army should, on its first appearance, be greeted with extra enthusiasm by the people it had so magnificently served, was but natural and just; and we are proud to think, that when its sturdy yeomen return to the prairies of the West, they will speak of their reception in the National Capital with as full a gratification as that with which they will enumerate their victories from the bluff of Vicksburg to the plains of North Carolina.

**THE ARMY OF THE TENNESSEE.**

The Army of the Tennessee, which formed what is known as "Sherman's right wing," is composed of two corps, the 15th and 17th. The living *material* of these corps is purely Western—Ohio, Indiana, Illinois, Wisconsin, Iowa, Kentucky, Minnesota, Missouri, and Michigan having furnished not only the bulk of its officers, but almost all its rank and file. Its record of victories begins with Belmont, notes Donelson, Shiloh, Murfreesboro, Lookout Mountain, Chattanooga, Resaca, Kenesaw, Jonesboro, Atlanta. The introduction and the first volume end here; but the second beginning at Atlanta, maps a march to which that of Cambyses and Alexander can hardly compare. With dauntless grip it clutched the innermost vesture of the rebellion, and laid bare the failing pulsations of its breaking heart. It passed from the hands of Grant fashioned for success, and it returned to him yesterday with the work he set it more than accomplished. This army was never reviewed but twice before; first at Atlanta, then by the Lieutenant General at Raleigh.

**THE ARMY OF GEORGIA.**

The Army of Georgia consists of the 20th and 14th army corps. It once formed part of the Army of the Potomac, and first illustrated its valor and the bravery of Hooker in the West at Chattanooga. There it made friends with the Army of the Tennessee, and soon after became its twin under the name of Sherman's left wing. Of its soldierly record between the capital of the country and the seat of rebel organism, we need not speak. Its record in the West entitles it to share the glories of "Sherman's Army" with the Army of the Tennessee. There is no geographical portion of the country that can exclusively claim this army. It has regiments from the North, the South, the East, and the West; all the Western States, New York, Pennsylvania, New Jersey, Massachusetts, Connecticut, are sharers in its ample fame; and the friendly spirit of emulation existing between it and the Army of the Tennessee, has been productive of some of the happiest events of the war in the West and South.

**THE REVIEWING OFFICERS AND STANDS.**

The reviewing officers were the same before whom the Army of the Potomac had passed the day before. The President of the United States, the Secretary of War, and General Grant. The preparations for their reception were the same as those made for the Army of the Potomac. The same stands remained, and were neither enlarged nor increased in number, and the disposition made of them was the same.

**THE CROWD.**

The crowd of spectators yesterday was much greater than it was on Tuesday, the cause of this being that all who had come to see the Army of the Potomac, remained to see Sherman's army, and their numbers were largely increased by crowds of eager families and gentlemen from the far West, who came to aid in the welcome of their friends, and to do honor to an army of which the West is so commendably proud.

**THE REVIEW.**

Punctual to a second, Major General W. T. Sherman started his army, himself at its head. He was mounted on a dark bay, which he managed with his left hand. His appearance on the Avenue was the signal for a series of cheers, which, commencing at the Capitol, were caught up by the eager crowd on both sides, and ere he had reached Sixth street the vast assembly of men, women, and children were giving notice to the expectants crowding the stands near the White House that the hero was coming. As cheer after cheer rent the air he bent his head, now on one side, then on the other, expressing his appreciation of the public's demonstration of gratitude and joy with a smile whose peculiar sweetness would scarcely be expected from a face rather harsh than otherwise when in repose. As he passed the stand mothers held up their children, maidens stood on tiptoe, and between the cheers, "that's he," "that's Sherman;" "yes, that tall man there." Then would rise another cheer, white handkerchiefs waving, amid cries of "Sherman! Sherman!"

Behind the General rode his staff and a small escort. Then came the

**FIFTEENTH CORPS.**

Preceding this corps rode the General of the Army of the Tennessee, Major General Logan, followed by his staff. This General, popular in the army as he is out of it, looks darker and stouter than he did ere the war. The reception he met with must have assured him most satisfactorily that the people well knew and appreciated his long series of toils and dangers bravely met.

The next general in order was Major General W. B. Hazen, leading the 15th corps.

This corps is composed of three divisions. The first division passed in the following order:

Brevet Major General C. R. Woods and staff—29th Missouri Cavalry, Colonel Gage commanding.

First Brigade, Brevet Brigadier General W. B. Woods—76th Ohio, 27th Missouri, 93d Indiana, 31st and 32d consolidated battalion of Missouri volunteers, 4th Minnesota, and 15th Indiana.

Second Brigade, Colonel Catterson commanding—93d Illinois, 40th Ohio, 46th Ohio, 26th Illinois, 100th Indiana, 103d Illinois.

Third Brigade, Colonel George A. Stone commanding—4th, 5th, 25th, 30th, 26th, and 31st Iowa.

The Second Division followed, under its present organization:

Major General Oliver—Brevet Brigadier General T. Jones.

First Brigade—30th Ohio, 6th Missouri, 17th Iowa, 55th Illinois, 57th Ohio, 6th and 8th Missouri consolidated, 116th Illinois, 127th Illinois, 10th Iowa.

Second Brigade, Brevet Brigadier General W. S. Jones—54th, 47th, 47th, 53d Ohio, 26th Missouri, 111th Illinois, 83d Indiana.

Third Brigade, Colonel Hutchinson commanding—15th Michigan, 48th, 54th, 90th Illinois, 99th Indiana, 70th Ohio.

The last Division then came, Brevet Major General J. M. Corse and staff.

First Brigade, Brigadier General Rice—2d and 7th Iowa, 52d Illinois, 66th Indiana, 12th Illinois.

Second Brigade, Brigadier General Clarke—81st Ohio, 64th Illinois, 59th Indiana, 18th Wisconsin, 48th Indiana.

Third Brigade, Colonel Rowett commanding—39th Iowa, 57th, 7th, 66th, and 50th Illinois.

Artillery Brigade, Lieut. Col. Ross, Chief of Artillery and Staff—Light batteries B, 1st Michigan; H, 1st Illinois; H, 1st Missouri, and 12th Wisconsin.

The band of this corps, by their tasteful, neat dress, the brightness of their instruments and the excellence of their music, drew forth many expressions of admiration. The attending pioneers, the following mules and a pair of boy-ridden, patient asses, created no little laughter. The dusky pioneers, who shouldered their shovels musket-fashion, were greeted with hearty cheers, generally called for in the words, "Three cheers for the boys that cleared the way!" Resaca is claimed by the 15th corps as specially theirs. Joe Johnston, however, stated that he whipped them there, which we suppose must be the case, as they continued falling back—toward Atlanta!

**SEVENTEENTH CORPS.**

This corps, the heroes of the bloody 22d, in front of Atlanta, is now commanded by Major General F. P. Blair, of Missouri, who, in its command, succeeded to the lamented McPherson. The Major General was yesterday surrounded by Colonel Hickenlooper, lately breveted brigadier, and who has been chief of staff almost since General Blair has commanded the corps; Colonel Cadle, assistant adjutant general; Major D. T. Kirby, chief picket officer (a staff position unknown in the Army of the Potomac, but which proved eminently useful in the Western corps); Major Marvin, provost marshal; Colonel Mills, chief commissary; Colonel Joel, chief quartermaster; Aide-de-camps Major Tompkins and Captain Staid. Lieutenant Colonels Marsh and Frederick, of General Casey's examining Board, acted as volunteer aids to General Blair.

When the General and his staff had reached Willard's, although his charger was already decorated with a magnificent wreath presented to him at the Capitol; he was presented with another, by E. Wells, of St. Louis, and with a beautiful banner by Colonel Jas. Peckham.

A regular committee of Missourians met the General here. It consisted of Colonel Bittinger, St. Joseph, Mo., Major James M. Richardson, commanding at Fort Lincoln; Thomas E. Richardson, N. C. R. R. Co., St. Louis; S. W. Gregg, Ohio; Captain F. D. May, P. C. C. R. R., Baltimore; George W. McKean; F. G. Bean, Ft. W. and C. R. R. Co., New York; Lieutenant Whittoker, 3d Massachusetts volunteers; N. Hurd, P. C. C. R. R. Co., New York; L. F. Clements; J. T. Clements, Captain A. C. S.; Charles W. Joseleer, and others.

Each of these gentlemen presented a bouquet; but, as it was not exactly feasible for the General to pass the President laden with so much floral treasure, he, after thanking his fellow-townsmen for their expressions of regard, sent the flowers to the rear, to be hereafter laid away as mementoes of the great review.

Besides his staff, the Major General was attended by the 9th Illinois mounted infantry, led by Lieutenant Colonel S. T. Hughes. The corps then passed in the following order:

First Division, Brigadier General Force commanding, with staff.

First Brigade, General J. W. Fuller—27th and 39th Ohio, 18th Missouri, 64th Illinois.

Second Brigade, Brigadier General J. W. Sprague—43d and 63d Ohio, 35th New York, 25th Wisconsin.

Third Brigade, General John Tillson—10th Illinois, 32d Wisconsin, 24th Indiana.

Third Division, Major General Leggett and staff.

First Brigade, Brigadier General C. Ewing—12th and 16th Wisconsin, 31st, 45th, and 30th Illinois.

Second Brigade, General R. K. Scott—68th, 78th, and 20th Ohio, 20th Illinois.

Fourth Division, Major General G. A. Smith and staff.

First Brigade, Brigadier General B. F. Potts—23d and 32d Ohio, 53d Illinois, 53d Indiana.

Second Brigade, General Stolbrand—32d, 14th, and 15th Illinois.

Third Brigade, Brig. Gen. W. W. Belknap—11th, 13th, 15th, and 16th Iowa.

Artillery Brigade, Major F. Welker, Chief of Artillery and staff—15th Ohio, 1st Minnesota, and C battery, 1st Michigan.

**ARMY OF GEORGIA.**

Major General H. W. Slocum came next, leading the 20th and 14th army corps, that constitute the Army of Georgia. Major General Slocum was appointed major general in July, 1862, and during the eventful years that have followed, has amply justified the proud hopes that New York entertained of him. His services around and in Atlanta after it fell before the four corps reviewed yesterday, are too recent to need recapitulation. And in the history of that campaign, few, if any generals will occupy an ampler or a nobler page. The General was followed by his staff; after which came Major General J. A. Mower, leading the

**TWENTIETH ARMY CORPS.**

This corps is composed of the old Eleventh and Twelfth army corps. The Eleventh was formerly General Howard's Corps, and General Slocum used to command the Twelfth. These corps thus consolidated were placed under General Hooker, who led them, as before stated, to Chattanooga.

General Mower was accompanied by the general staff, after which the corps passed in the following order:

First Division, Brevet Major General A. S. Williams commanding.

First Brigade, Brevet Brig. Gen. James L. Selfridge commanding—5th Connecticut volunteers, 46th Pennsylvania volunteers, 123d New York volunteers, 141st New York volunteers.

Second Brigade, Brevet Brig. Gen. Hawley commanding.—3d Wisconsin volunteers, 2d Massachusetts volunteers, 13th New York volunteers, 107th New York volunteers, 150th New York volunteers.

Third Brigade, Brig. Gen. Robinson commanding—31st Wisconsin volunteers, 82d Ohio volunteers, 82d Illinois volunteers, 101st Illinois volunteers, 143d New York volunteers.

Second Division, Brevet Major General John W. Geary commanding.

First Brigade, Brevet Brig. Gen. A. Pardee, Jr., commanding—5th Ohio volunteers, 29th Ohio volunteers, 66th Ohio volunteers, 28th Pennsylvania volunteers, 147th Pennsylvania volunteers.

Second Brigade, P. E. Jones—33d New York volunteers, 73d Pennsylvania volunteers, 119th New York volunteers, 134th New York volunteers, 154th New York volunteers.

Third Brigade, Brevet Brig. Gen. H. A. Barnum—29th Pennsylvania volunteers, 11th Pennsylvania volunteers, 60th New York volunteers, 102d New York volunteers, 137th New York volunteers, 149th New York volunteers.

**THE BUMMER BRIGADE.**

The Bummer Brigade, led by a noble warrior on a diminutive donkey, followed, in solemn slowness, the march of General Geary's admirable infantry. There may be better troops, as far as drilling and marching go, nor are we prepared to claim for this stern array that neatness in dress or perfect cleanliness of hand which characterize the household troops of her Britannic Majesty, but for punishing on coony profitably, for a clear appreciation of that military law which enjoins foresight in the commissary, not the "Old Guard" of Napoleon could surpass them.

**THE THIRD DIVISION.**

The brigade of all arms and all sorts having passed the remainder of the last division followed, the artillery of the corps bringing up the rear. Third Division, Brevet Major General W. T. Ward commanding.

First Brigade, Brevet Brigadier General Benjamin Harrison commanding—70th Indiana volunteers; 79th Ohio volunteers, 102d Illinois volunteers, 105th Illinois volunteers, 129th Illinois volunteers.

Second Brigade, Brevet Brigadier General Daniel Dustin commanding—19th Michigan volunteers, 22d Wisconsin volunteers, 33d Indiana volunteers, 85th Indiana volunteers.

Third Brigade, Brevet Brigadier General Cogswell commanding—20th Connecticut volunteers, 26th Wisconsin volunteers, 33d Massachusetts volunteers, 55th Ohio volunteers, 73d Ohio volunteers, 136th New York volunteers.

Artillery Brigade, Twentieth Army, corps, Captain C. E. Winegar commanding—Battery I, 1st New York Artillery; Battery M, 1st New York Artillery; Battery C, 1st Ohio Artillery; Battery E, Independent Pennsylvania Artillery.

**THE FOURTEENTH ARMY CORPS.**

The 14th army corps, led by Brevet Major General J. C. Davis, was the last that passed. The record of this corps, like that of its present General, is one even narrative of usefulness, brave endeavor, and wondrous endurance. It is said by the great poet that there is nothing in a name; but the unithetical memories evoked by "Jeff. Davis" are scarcely equalled by any other historical name.

The General was followed by his staff, after which the magnificent corps marched past in the following order:

First Division, Brigadier General Charles Walcutt commanding.

First Brigade—21st Wisconsin volunteers, 33d Ohio volunteers, 94th Ohio volunteers, 42d Indiana volunteers, 88th Indiana volunteers, 104th Illinois volunteers.

Second Brigade, Brevet Brigadier General Buell commanding—21st Michigan volunteers, 13th Michigan volunteers, 69th Ohio volunteers.

Third Brigade—31st Ohio volunteers, 74th Ohio volunteers, 38th Indiana volunteers, 79th Pennsylvania volunteers.

Second Division, Brevet Major General J. D. Morgan commanding.

First Brigade, Brigadier General Vandevere commanding—10th Michigan, 14th Michigan, 16th Illinois, 10th Illinois, 17th New York.

Second Brigade—121st Ohio, 113th Ohio, 108th Ohio, 98th Ohio, 34th Illinois, 78th Illinois.

Third Brigade—85th Illinois, 86th Illinois, 110th Illinois, 125th Illinois, 52d Ohio, 22d Indiana, 37th Indiana, detachment.

Third Division, Brevet Major General A. Baird commanding.

First Brigade, Colonel M. C. Hunter commanding—17th Ohio, 31st Ohio, 89th Ohio, 92d Ohio, 82d Indiana, 23d Missouri, detachment, 11th Ohio, detachment.

Second Brigade, Col. Gleason commanding—105th Ohio, 2d Minnesota, 75th Indiana, 87th Indiana, 101st Indiana.

Third Brigade, Brigadier General G. S. Greene commanding—14th Ohio, 38th Ohio, 10th Kentucky, 74th Indiana.

Artillery Brigade, (14th army corps)—Battery C, 1st Illinois artillery; Battery I, 2d Illinois artillery; 5th Wisconsin Battery.

# Weekly Chronicle.

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## JEFFERSON DAVIS IN SUMMER QUARTERS.

General Jackson made Fortress Monroe another "Hip Rapp" in July repose and rumor. It was there that he prepared many of those great utterances so boldly and promptly carried out. Jefferson Davis—the Calhoun, the Catoline, and the Caligula of the age—is assigned a prison in the great battlement that protects the shores of Virginia and frowns an awful doom upon impudent treason. If, however, there is not a Jackson to day to hurl Davis as the Iron Man of the Hermitage would have disposed of his prototype, we have in Andrew Johnson, his pupil, a heroic interpreter. There is something tragic in a name; but it is rare to find two men, so nearly alike in name, in nature, in principle; in the same position in life, in the enjoyment of the affluence of a people's love, and in the ability to enact mighty troubles and to punish gigantic wrongs. If any man has been prepared by the lessons of Calhoun, his own immortal infamy, Andrew Johnson will win the laurels of undying fame by following in the footsteps of "the Great Expounder of reverse" "By the Eternal" that "the Federal Union must be and should be preserved."

## JUSTICE ACCORDING TO LAW.

No government can be administered in the spirit of justice, which is not governed in a manner and temper must be governed by the requirements of justice, not by the impulses of feeling. What would be the cry of compassion that sweep over nations, when there are entrusted with the execution of its affairs must rise superior to the clamor of the hour and shape the policy of the government according to the best interests of the people as they will appear to the impartial judgment of posterity. We are accustomed to hear it said of the Southern people, that raised their heads against the Government and "knocked it down with a club," "they deserve a more terrible death." We are not among those who would palliate the crime of treason. We believe that rebellion against a Government such as ours deserves a death among the severest in earthly crimes. It comprises within itself all the enormities of which humanity is capable—murder, arson, treachery, perjury —all the dark catalogue which have disgraced the annals of crime in every age. For these are the inevitable products of the spirit of treason to do humane and benevolent a thing—treason to God. If we are many would seem to imagine, a mere difference of political opinion, or even an extreme length. For men who consent to engage in armed resistance to a popular government can make no such excuse. Men with perjury, and forget the sacred sanction of an oath. They are prepared to imbrue their hands in innocent blood. They light the consuming torch in the bosom of their fellow-men, and if they do not feel the fury of this war sadly demonstrate, they will find out how starvation of helpless prisoners, and a cruel imprisonment is an execrable crime of assassination.

For such crimes there is no defence, and in behalf of their perpetrators we would offer no plea of extenuation. But what we desire on the one hand is, that the people should not be held accountable for the comparatively few who committed in their name, and that the villainies of the few should not be charged upon a whole population. We plead for justice and humanity that they shall make a proper distinction between, and we are confident that, however indignant they may feel at the outrages that have been committed, they will yet feel a sympathy between the few who have justly chargeable with the foul enormities which have stained the history of the present conflict, and the great body of people who have been the victims of a gross delusion. We plead that the great body of the people of the South were not to be held responsible for an attitude of hostility to the Federal Government, but for the false representations and unreasonable falsehoods of the few, who for their own selfish ends have labored to bring about a state of things which they now mourn. They have fallen a prey to the designing conspirators who wielded their real purposes under the mask of specious pretexts, and led on the high places of power or station to the ruin to which they have plunged the cup of folly with the lips and yet be. They drink it to the very dregs. For these we have no excuse. They have been guilty of the highest crime of the slaughter. Conspiracy. On their shoulders rests the blood of the thousands slain in this most unnatural conflict. To their account among the dead and pestilence multiply is the desolation of so many homes dear. By their infamatory speech and imperious temper they have knowingly kindled the flames of civil war that have swept the land with such devouring breath.

Yet, inexplicable as in their crime, we say let them be dealt with according to law. The nation itself is on its trial. Let it be shown to the world that democracy is as well restrained in its hour of triumph as it was determined in the hour of its most ignoble agony. Let the traitors of the Richmond Government feel that they have no reason to fear from the sentiment of popular vengeance, but everything from the instinct of popular justice. Let the Southern people of East Tennessee know that they are to be dealt with as friends, and not as the indignation excited by their deeds of treason; but according to the sacred demands of law. Let the Union wrecker who fled abroad, and not less base tools who carried out the utter destruction of the nation's treasure learn that we deal with them not according to their deserts, for then we should demand to the last level of the hatchet as exercised; but that, after fair trial, we shall mete out to them the punishment imposed by the law. Let the conflagrations of the prisoners of the people. A schilmer sight the world cannot offer than a people in a great people silencing the cravings of passion, the impulses of the spirit of vengeance, to deal with its grossest wrecker with decency and the decisions of the tribunals which it has established to measure out equal and exact justice to all classes of its citizens.

## NEW LIFE IN THE SOUTH.

In an eleven county letter of a Baltimore newspaper we find one of the most suggestive illustrations of the change that has crept over the Southern country. Those who imagined that reconstruction would be a difficult, perplexing, and protracted issue, now see that it is as simple as the operation of the laws of nature. There is no statesmanship like that which is wise, loyalty and common sense. These two elements of success are increasing in the South and we find one of our practical statesmen telling the people of Baltimore that he is rousing together from the ashes of their former greatness and resources fair gold for labor. Where this law is in operation, where a small privileged class is put down and the people, the laboring, proud and free—with open the poverty, ignorance, degradation, and helplessness of another race, there must be a fearful struggle. The men who have thus lived for two hundred years must now pay the penalty. We are willing to concede that they have very effectually cleared the land, and the Southern people may enjoy a new account with destiny.

What the people of the Southern States have bemoaned as a misery, they will find to be a blessing. God's laws are inflexible, and not conforming to them the Southerners have paid the penalty of their violations, they will likewise reap the advantages of their obedience. The world the Southern people do is they will be compelled to begin to work out a reconstructing society with a large class of freemen in their midst? We can imagine the feelings of Lee's army, disbanded, footsore, tired, and the mother of the soldier, and the soldier established in the former times, and the mother established it with compensating rewards, is swept away, or otherwise disposed of. But the Southerners have failed in war for ever after, and see in their statement the leaders of the most infamous and villainous and despicable in history, they can begin with life and civilization and the arts of peace. There will be more freedom and more competition in the South. The day of agricultural prosperity will not depend on fateful lord, and around him hundreds of thrifty vessels, whose flag is the arms, and whose souls he is enslaved by love to keep in utter darkness—is passed. Every man will be his own. Whether he is white or white, according to the measure of his intelligence and virtue will be he regarded in the eyes of the law.

In this as in all things, we see recorded the wisdom of the great law of change. How swiftly the Southern Confederacy has passed away! Not a breath, not a super has nothing in this air! It is Providence is supreme; its generals beggars, its statesmen fugitives; its navy in Northern desirable; its name and even in the distant thoughts records in the hands of derision! Such is the swiftness with which the field with plough and harrow, instead of battle, and where in the wickedness, and has died in infancy. The Southern communities will rouse from their lethargy and begin to live. And in this awakening to a new existence in every revolution. It is the law with the South. It has reached down to the world that democracy is as well restrained in its hour of triumph as it was determined in the hour of its most ignoble agony. Let the traitors of the Richmond Government feel that they have no reason to fear from the sentiment of popular vengeance, but everything from the instinct of popular justice. Let the Southern people of East Tennessee know that they are to be dealt with as friends, and not as the indignation excited by their deeds of treason; but according to the sacred demands of law. Let the Union wrecker who fled abroad, and not less base tools who carried out the utter destruction of the nation's treasure learn that we deal with them not according to their deserts, for then we should demand to the last level of the hatchet as exercised; but that, after fair trial, we shall mete out to them the punishment imposed by the law. Let the conflagrations of the prisoners of the people. A schilmer sight the world cannot offer than a people in a great people silencing the cravings of passion, the impulses of the spirit of vengeance, to deal with its grossest wrecker with decency and the decisions of the tribunals which it has established to measure out equal and exact justice to all classes of its citizens.

## LETTER FROM "OCCASIONAL."

[Correspondence of the Philadelphia Press.]

WASHINGTON, May 20, 1865.

Major General Howard, to whom is entrusted the great work of organizing the Bureau for the relief of freedmen throughout the South, has gone to Congress, and the Bureau will not, therefore, be suspended just in hand. Upon this subject much misapprehended reflection has been bestowed, and it is the opinion of many that it will not be long because the details have not been carefully considered. Experience and the practical workings of these details will show what will be necessary to its easy operation and its ultimate success. It is not to be supposed in the way of immediate system and satisfaction; but they will be triumphantly overcome. The great object is to give stability of the negroes to fight for their freedom, and to understand that, if not free, they would rise in insurrection and cut the throats of their Southern owners, as they would do if left to themselves. Its office to monopolize labor and deprive the poor whites of the means of supporting their families. This will be successfully taught by the consolidation of all such plantations. This will be a work requiring long and bravely. They have monopolized labor and regime into the plantations of the South, and they will not be long interfered with white industry in the free States. Northern men will come in sufficient numbers to supply the loud cry for white appeal for labor from the farming, mechanical, and manufacturing interests of producing interests. General Howard's task and its committee on the Conduct of the War, in regard to the treatment of Davis, and great approbation here. The people are at last satisfied that we shall not be humbugged as done since he held the portfolio of Secretary of War, in regard to which he has been a great deal of trouble to the country. He has been soundly abused by several of the Democratic papers of both parties, but through it all he never has uttered a complaint nor vindication.

At the New Orleans Times, the Newspaper and Washington conflagration have been performing to large and fashionable audiences. The Richmond Bulletin adopted daughter have been playing for the benefit of the poor whites, and for the good cause of public patronage. Last, and also last, the ever present Lucille Western, at the Winter Garden theatre is crowding the house nightly. In fact way, I cannot imagine surely the public must have become tired of the fine performance of the lady.

THE REPORTER.

## ARRIVAL OF JEFF. DAVIS AT FORTRESS MONROE.

He is Comfortably Quartered Under the Old Flag.

## Mrs. Davis and Children Along

FORTRESS MONROE, May 19.—Jefferson Davis, the late President of the rebellion so-called Southern Confederacy, with his family, staff officers, &c., captured by the forces under the command, in Georgia, arrived here to-day, at 12 o'clock M., from Hilton Head, S. C., in the steamer Clyde, of the U. S. Coast Survey, in charge of the U. S. gunboat Tuscarora, Commodore Craven.

Colonel Pritchard, of the Michigan cavalry, who has charge of the prisoners, came on shore, with a strong guard of his own accompanied the rebel party on the steamer Clyde from Hilton Head to this port. On arriving here immediately telegraphed to Washington for instructions regarding the disposal of their charge.

Up to this evening, no further instructions received not only as to the presence of the prisoners, but also to their future movements, and it is understood that even no opinion regarding the retention of our Government has been formed.

The steamer Clyde still remains near our wharf, more than a mile from here, strongly manned, and Colonel Pritchard is probably the only one who has as yet come ashore from her. The gunboat Tuscarora anchored in the stream about 2 o'clock in the afternoon.

No Rebel Ship, Privateer, Tender, Dispatch Boat and Transport, Arms, Munitions of War, Provisions, Ammunition, Coal, Armaments, Arsenals, Forts, Fortifications, Navy Yards, Dock Yards, Docks, Depots, Vessels, Barges, Boats, Lighters, Canal Boats, Steamers, Steamboats, Ferry Boats, Tugs, Propellers, Ships, Barks, Brigs, Schooners, Sloops, Yachts, Pilot Boats, Fishing Boats, Revenue Cutters, Gunboats, Monitors, Iron-clads, Rams, Batteries, Navy Stores, Navy Supplies, Navy Equipments, Navy Outfits, Navy Materials, Navy Munitions, Navy Ordnance, Navy Guns, Navy Cannon, Navy Shot, Navy Shell, Navy Powder, Navy Magazines, Navy Arsenals, Navy Forts, Navy Fortifications, Navy Yards, Navy Docks, Navy Depots, Navy Vessels, Navy Barges, Navy Boats, Navy Lighters, Navy Canal Boats, Navy Steamers, Navy Steamboats, Navy Ferry Boats, Navy Tugs, Navy Propellers, Navy Ships, Navy Barks, Navy Brigs, Navy Schooners, Navy Sloops, Navy Yachts, Navy Pilot Boats, Navy Fishing Boats, Navy Revenue Cutters, Navy Gunboats, Navy Monitors, Navy Iron-clads, Navy Rams, Navy Batteries, Navy Stores, Navy Supplies, Navy Equipments, Navy Outfits, Navy Materials, Navy Munitions, Navy Ordnance, Navy Guns, Navy Cannon, Navy Shot, Navy Shell, Navy Powder, Navy Magazines, Navy Arsenals, Navy Forts, Navy Fortifications, Navy Yards, Navy Docks, Navy Depots, Navy Vessels, Navy Barges, Navy Boats, Navy Lighters, Navy Canal Boats, Navy Steamers, Navy Steamboats, Navy Ferry Boats, Navy Tugs, Navy Propellers, Navy Ships, Navy Barks, Navy Brigs, Navy Schooners, Navy Sloops, Navy Yachts, Navy Pilot Boats, Navy Fishing Boats, Navy Revenue Cutters, Navy Gunboats, Navy Monitors, Navy Iron-clads, Rams,